

offered by the gentleman from California [Mr. MILLER].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MILLER of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 44, nays 339, not voting 50, as follows:

[Roll No. 366]

YEAS—44

Andrews	Farr	Markey
Berry	Filner	McDermott
Bishop	Ford	McNulty
Boswell	Furse	Meek
Boyd	Gejdenson	Millender-
Clay	Gephardt	McDonald
Clement	Gutierrez	Miller (CA)
Conyers	Hastings (FL)	Mink
Coyne	Jefferson	Rangel
Davis (FL)	Johnson, E. B.	Reyes
DeFazio	Kennedy (MA)	Stark
DeLauro	Klink	Towns
Deutscher	LaFalce	Walsh
Dingell	Lewis (GA)	Waters
Eshoo	Lowe	Woolsey

NAYS—339

Ackerman	Cramer	Hall (OH)
Aderholt	Crapo	Hall (TX)
Allen	Cummings	Hamilton
Armey	Cunningham	Hansen
Baesler	Danner	Harman
Baker	Davis (IL)	Hastert
Baldacci	Davis (VA)	Hastings (WA)
Ballenger	DeGette	Hayworth
Barcia	DeLay	Hefley
Barr	Diaz-Balart	Hill
Barrett (NE)	Dickey	Hilleary
Barrett (WI)	Dicks	Hilliard
Bartlett	Doggett	Hinche
Bass	Dooley	Hinojosa
Becerra	Doolittle	Hobson
Bentsen	Doyle	Hoekstra
Berman	Dreier	Holden
Bilbray	Duncan	Hooley
Bilirakis	Dunn	Horn
Blagojevich	Edwards	Hostettler
Bliley	Ehlers	Hoyer
Blumenauer	Ehrlich	Hulshof
Blunt	Emerson	Hunter
Boehlert	English	Hutchinson
Boehner	Ensign	Hyde
Bonilla	Etheridge	Inglis
Bonior	Evans	Istook
Borski	Everett	Jackson (IL)
Brady	Ewing	Jackson-Lee
Brown (OH)	Fattah	(TX)
Bryant	Fawell	Jenkins
Bunning	Fazio	John
Burr	Flake	Johnson (CT)
Burton	Foley	Johnson (WI)
Buyer	Forbes	Johnson, Sam
Callahan	Fowler	Jones
Calvert	Fox	Kanjorski
Camp	Frank (MA)	Kaptur
Campbell	Franks (NJ)	Kasich
Canady	Frelinghuysen	Kelly
Cannon	Frost	Kennelly
Capps	Gallely	Kildee
Cardin	Ganske	Kilpatrick
Carson	Gekas	Kim
Castle	Gibbons	Kind (WI)
Chabot	Gilchrest	King (NY)
Chambliss	Gillmor	Kingston
Chenoweth	Gilman	Klug
Christensen	Goode	Knollenberg
Clayton	Goodlatte	Kolbe
Clyburn	Goodling	Kucinich
Coble	Gordon	LaHood
Coburn	Goss	Lampson
Collins	Graham	Lantos
Combest	Granger	Largent
Condit	Green	Latham
Cook	Greenwood	Lazio
Costello	Gutknecht	Leach

Levin	Pease	Smith (NJ)
Lewis (CA)	Peterson (MN)	Smith (OR)
Lewis (KY)	Peterson (PA)	Smith (TX)
Linder	Petri	Smith, Adam
Lipinski	Pickering	Smith, Linda
Livingston	Pickett	Snowbarger
LoBiondo	Pitts	Snyder
Lofgren	Pomeroy	Solomon
Lucas	Porter	Souder
Luther	Portman	Spence
Maloney (CT)	Poshard	Spratt
Maloney (NY)	Price (NC)	Stabenow
Manton	Quinn	Stearns
Manzullo	Rahall	Stenholm
Mascara	Ramstad	Stokes
Matsui	Redmond	Strickland
McCarthy (MO)	Regula	Stump
McCarthy (NY)	Riggs	Stupak
McCollum	Riley	Sununu
McHale	Rivers	Talent
McHugh	Rodriguez	Tanner
McInnis	Roemer	Tauscher
McIntosh	Rogan	Tauzin
McIntyre	Rogers	Taylor (MS)
McKeon	Rohrabacher	Taylor (NC)
McKinney	Ros-Lehtinen	Thomas
Meenan	Rothman	Thompson
Menendez	Roukema	Thornberry
Metcalfe	Roybal-Allard	Thune
Mica	Royce	Thurman
Miller (FL)	Rush	Tiahrt
Minge	Ryun	Tierney
Mollohan	Sabo	Trafficant
Moran (KS)	Salmon	Turner
Morella	Sanchez	Upton
Murtha	Sandlin	Velazquez
Myrick	Sanford	Vento
Nadler	Sawyer	Visclosky
Neal	Saxton	Wamp
Nethercutt	Scarborough	Watkins
Neumann	Schaefer, Dan	Watt (NC)
Ney	Schaffer, Bob	Watts (OK)
Northup	Schumer	Waxman
Norwood	Scott	Weldon (FL)
Nussle	Sensenbrenner	Wexler
Obey	Serrano	Weygand
Olver	Shadegg	White
Ortiz	Shays	Whitfield
Packard	Sherman	Wicker
Pallone	Shimkus	Wise
Pappas	Shuster	Wolf
Pascarell	Sisisky	Wynn
Pastor	Skaggs	Yates
Paul	Skeen	Young (FL)
Paxon	Skelton	
Payne	Smith (MI)	

NOT VOTING—50

Abercrombie	Dixon	Owens
Archler	Engel	Oxley
Bachus	Foglietta	Parker
Barton	Gonzalez	Pelosi
Bateman	Hefner	Pombo
Bereuter	Herger	Pryce (OH)
Bono	Houghton	Radanovich
Boucher	Kennedy (RI)	Sanders
Brown (CA)	Klecza	Schiff
Brown (FL)	LaTourette	Sessions
Cooksey	Martinez	Shaw
Cox	McCrery	Slaughter
Crane	McDade	Torres
Cubin	McGovern	Weldon (PA)
Deal	Moakley	Weller
Delahunt	Moran (VA)	Young (AK)
Dellums	Oberstar	

□ 0954

Mr. HORN and Mr. PACKARD changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 674

Mr. CAMP. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 674.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the further consideration of H.R. 2264, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, July 31, 1997, and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2264.

□ 0957

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, with Mr. GOODLATTE in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, September 4, 1997, the bill was open for amendment from page 11, line 1, through page 25, line 8.

Are there any amendments to this portion of the bill?

AMENDMENT OFFERED BY MR. MCINTOSH

Mr. MCINTOSH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MCINTOSH:

Page 13, line 8, after the first dollar amount, insert the following "(reduced by \$4,309,000)".

Page 68, line 17, after the first dollar amount, insert the following: "(increased by \$4,309,000)".

PARLIAMENTARY INQUIRY

Mr. RIGGS. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RIGGS. Mr. Chairman, I am simply trying to ascertain where we are now with respect to deliberations on the Labor-HHS-Education appropriations bill. It is my understanding that when the Committee rose last night, we were at the end of title I, and that title I could be reopened for the purposes of an amendment.

I have an amendment pending to title I, but want to give preference to the amendment of the gentleman from Indiana [Mr. MCINTOSH]. I would like to confirm my understanding.

The CHAIRMAN. The bill is open for amendment from page 11, line 1, through page 25, line 8, of title I.

Mr. RIGGS. Further parliamentary inquiry, Mr. Chairman.

Again, I am just trying to confirm, then, that my amendment which I intended to offer at the end of title I would be in order after that of the gentleman from Indiana [Mr. MCINTOSH].

The CHAIRMAN. The Chair will make that determination when the amendment is offered, but that portion of title I is still open.

□ 1000

Mr. OBEY. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN (Mr. GOODLATTE). The gentleman from Wisconsin [Mr. OBEY] reserves a point of order against the amendment.

Mr. MCINTOSH. Mr. Chairman, the purpose of this amendment is to make a transfer of funds from the wage and hour enforcement provisions in the bill and transfer those funds to fund the IDEA program, which is the Individuals With Disabilities Education Act.

This amendment would essentially level-fund the Wage and Hour Enforcement Bureau. As we talked about last night, there are many of us who have grave misgivings about the funding priorities in this bill. We understand that there is a budget agreement in which we have agreed with the President and Members of the other party. However, Mr. Chairman, we think it is very important to have this fundamental debate about these spending priorities within this bill, and we think that it is important that all of the Members of the House understand the decisions that are being made within the context of a balanced budget agreement.

This amendment will make a decision, if it is accepted, to level-fund the Wage and Hour Enforcement Division at the Department of Labor. Our view is that that entity at the Department has sufficient funding from last year's appropriation bill to carry out its mission, and does not need a \$4.3 million increase.

Mr. Chairman, however, IDEA is a bill that we recently amended in this Congress that provides educational opportunities for those individuals who are disabled, but still may participate in educational programs in our school system. The Federal Government places enormous mandates on local school systems under this provision. It is noble in its cause in terms of creating opportunity for those who are less fortunate. But, unfortunately as so often happens in Washington, we passed the mandate, we passed the noble bill, we passed the strings, but we do not provide the funding.

My amendment, Mr. Chairman, would be a modest effort to redirect some additional funds to local schools so that they could fund programs such as inclusion of those students who do have mild learning disabilities into the

mainstream classroom in our school systems. Oftentimes, this requires special personnel at the school to be able to help those students learn and have an opportunity to progress as far as they are able.

Mr. Chairman, this will also allow the schools to pay, frankly, for some of the costs of this program in terms of consultation with parents so that they can be included in the crafting of the educational program for their students and compliance with the paperwork which requires schools to document what their programs are for these students who are disabled.

Mr. Chairman, I visited several schools in my district at the end of August and repeatedly those school programs pointed out to me what they are trying to do to comply with this Individuals With Disabilities Education Act that we have promulgated here in Washington. They are struggling to do what is right by those people who are less fortunate. But time and time again, they pointed out how it was taking resources away from other students in their schools who desperately needed to be taught the basics: reading, writing, and arithmetic. Those schools needed that additional funding.

We have a program already authorized; it is terribly underfunded. If my memory serves me correctly, we only provide about a quarter of the funds that are needed to fulfill that. This amendment will not in any way fully fund those requirements, but it will provide \$4.3 million additional for that purpose.

Mr. Chairman, I think this fits into the overall goal that we talked about last night of redirecting priorities within this bill, rather than funding an enforcement agency at the Department of Labor that is oftentimes perceived as being heavy-handed and arbitrary in our workplaces. We would take those funds and provide much critically needed assistance to local schools who are attempting to provide an educational opportunity for disabled Americans who are attending those schools.

Mr. Chairman, I submit this amendment and would urge my colleagues to vote "yes" in this redirection of funding.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. OBEY] insist on his point of order?

Mr. OBEY. Mr. Chairman, I withdraw my reservation of a point of order, and I rise in opposition to the amendment.

The CHAIRMAN. The reservation of a point of order is withdrawn.

Mr. OBEY. Mr. Chairman, I would point out that this is one of those amendments that will determine whether or not this Congress really cares about the conditions under which Americans are expected to work.

Mr. Chairman, the gentleman is asking us to add \$4.3 million to an account that already has a \$338 million increase. We already added \$25 million to that account in the Goodling amend-

ment last night. And the source that the gentleman chooses to target in order to move that money is, I think, especially outrageous.

Mr. Chairman, the gentleman from Indiana [Mr. MCINTOSH] would remove that money from the wage and hour enforcement division of the Department of Labor. That is the agency that is supposed to enforce the minimum wage. That is the agency that is supposed to enforce the Medical and Family Leave Act. That is the agency which is charged with seeing to it that workers are not asked to work under slave labor conditions.

We have just seen some of those stories in newspapers in disgraceful incidents around the country, and this amendment would further cripple the ability of the Department of Labor to deal with those issues.

The Wage and Hour Division is supposed to enforce the Migrant and Seasonal Agricultural Workers Act. It is supposed to enforce the immigration acts so that employers do not illegally employ noncitizens in this country. It is supposed to see to it that employers comply with employment eligibility verification requirements under the Immigration Act.

Now, Mr. Chairman, this program, it seems to me, is grossly underfunded as it is. Are we really about to say that this country does a good enough job in protecting workers on overtime issues, on minimum wage, or on slave labor conditions? I do not think we do.

We can look at every major urban newspaper in the country virtually every week and find another instance where we have had people employed in deplorable conditions, and yet the gentleman says that we ought to take \$4 million away from the agency charged with seeing to it that we treat American workers like Americans.

Mr. Chairman, I think that there is something fundamentally wrong with that approach. I cannot believe that this Congress would support that, and I would respectfully urge the rejection of the amendment.

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want the gentleman from Indiana [Mr. MCINTOSH] to understand what we have done in the bill with respect to the salary and expense accounts. That is, generally, we have provided about a 2-percent increase in S&E accounts, and this account is 2.8 percent, both figures are below the rate of increase in the spending in the bill overall.

The President has announced that salary increases will be 3.8 percent for 1998. That increase means that in all of the salary and expense accounts in the bill there will be a need to either cut expenses or have fewer employees, probably mostly through attrition, to meet those requirements.

In other words, the level of increase that we have given in this account is below the rate of increase in salaries in the Federal Government generally, and

that will mean fewer workers will remain in the Federal work force. That would apply in this account as well.

Now, Mr. Chairman, what the gentleman from Indiana is offering is an amendment that would raise the spending for the special ed. account by \$4 million on a base of \$4.3 billion, or about one-tenth of 1 percent. Let me suggest to the gentleman that last year we raised spending in this account by \$790 million and this year we raised it in the bill by an additional \$312 million, and last night we raised it by an additional \$25 million as a result of the Goodling amendment. So, we now have raised spending in this account, just in the last 2 fiscal years, to this point at least by over \$1 billion.

The gentleman's amendment would be an increase from the present level of spending by an insignificantly small amount, \$4 million. Now, every amount is important. I certainly agree with that. But given the overall funding, it is not as if we are not paying attention to our responsibilities to increase spending for IDEA. We very much are. We put it at a very, very high priority.

And while it makes for a good amendment, I suppose, in terms of appeal to cut Wage and Hour Enforcement and put the money in special ed., I think Members should know that we have done a yeoman's job of putting resources into special ed. and taking the burden off of local school districts' tax revenues in a major way and that this amendment is going to make virtually no difference in that effort. It will make substantial cuts in the wage and hour enforcement.

Mr. Chairman, I think the Members ought to be able to see in perspective that this does very little for the matter where the gentleman moves the money, but would cut even below what we have provided, which is already in the nature of a cut, in the Wage and Hour Enforcement Division.

□ 1015

Mr. MCINTOSH. Mr. Chairman, I ask unanimous consent to strike the last word.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MCINTOSH. Mr. Chairman, let me address some of the points that have been raised about this amendment. First, let me say very clearly that the philosophy behind this amendment is to take funds away from the Washington bureaucracy and make them available to our local schools so that they can implement a program that we all think is a noble and worthy cause of helping to provide education for disadvantaged, disabled American students.

There are three examples of the type of regulatory oversight that are being funded currently in the wage and hour administration that my colleague, the gentleman from Wisconsin [Mr. OBEY], has mentioned. One was the employ-

ment eligibility standards by the INS. This is essentially a lot of paperwork where they require Americans to produce an ID or indication that they are a U.S. citizen before they can obtain a job.

My view is that ultimately most employers will comply with that, but that there are some actual abuses of that program itself that are occurring where people are being discriminated against because of their background as a Latino-American or other ethnic heritage, they are seeing this provision used against them to harass them as they seek job opportunities. So I do not think we should increase funding to support that type of harassment in the work force.

The second one was the Family Leave Act. As I talked to employers all over the country and particularly in my district in Indiana in August, they have told me they have enormous problems complying with this, but are making a very good-faith effort to provide the new Federal job benefit of family leave for those employees who need to be with a family member because of an illness, because of a death, because of a birth of a child.

The complications arise from the need to provide a constant work force in a very competitive marketplace or, in some cases, a fluctuating work force. When they have a new order that is received, they have to be able to count on their employees coming in and filling that order or they see that it is lost to competitors in Japan, China, Europe, and other countries.

I do not think those employers need an additional burden of a bureaucratic oversight of their efforts to comply with this act.

The third area was the minimum wage. We had a debate in the last Congress about whether to raise the minimum wage. I thought it was a mistake because it would harm people who were not able to get jobs that frankly would not be available at that higher rate. They are what I call the victims of the minimum wage.

Let me mention one, Don Baisch, who is a manager at a Burger King out in California. He came and testified at my subcommittee hearing on the question of minimum wage. He told me about how he had been on welfare a few years ago and until he had an opportunity to sign up for a job at Burger King, he did not have hope in his life. He had one daughter, the mother of that daughter was not there to help raise the child, and he made a choice to get that job at the then minimum wage.

He worked his way up. He is now a manager at one of the restaurants, and he told us how he wanted to be able to say, yes, raise the minimum wage for American workers, but he begged us not to forget people like him who may not have an opportunity as those jobs are no longer available.

Congress passed that increase. Frankly, the adverse effects that we

anticipated were avoided because of the strong economy. What we now see in the workplace is that the market has in fact raised the minimum wage for most employees above the statutory minimum wage. And so those opportunities are there.

But that same effect means that we do not have to increase spending here in Washington on a bureaucracy to oversee the implementation of that regulatory program, one which I do believe continues in some areas of the country to harm people like Don Baisch who need an opportunity as we are moving away from welfare and back to work.

For that reason, I am very comfortable with saying, let us just fund it at last year's level. Some Members will say that is a cut, but I refer to that as a Washington cut and would urge my colleagues to reject that notion.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

I want to stand in support of this amendment, but more importantly, I want to ask about the premises, the premise under which we are going to decide that we cannot become more efficient in Washington. The fact is with the wage increase that President Clinton has put through that the Wage and Hour Division of the Department of Labor, the assumption is that they will have to lay off people rather than to achieve an efficiency to become more proficient or to figure out a way to get the same job done with less dollars or more dollars that would go to employees with less dollars in other areas.

Having spent about 3 weeks this past year in different Government offices and Government agencies, and looking at how those problems are broached, I find two very different areas. I went through the VA regional office in Muskogee, OK, which has led the Nation multiple times now in terms of efficiency because they team-work, they have gone to innovative structures. Their costs are down. Their costs per claim are down. Their costs for handling the case are down.

They have led because they decided that they were not going to be behind and just do what Congress said. They were going to try to be more efficient with the American dollar.

Then I have gone to the VA hospital and had my staff study the VA hospital and the opposite thing has happened. In fact, we spend more money because more money was made available, not because we were efficient.

So the question I would ask is, Is it wrong to try to send money to the local school districts to handle a program that we have mandated on them; and if, in fact, we are spending \$1 billion to support the IDEA program, my question is, that is not near enough to the mandates that we are putting out there. And Chairman GOODLING said last night on this floor that that was not enough money. He was disappointed that he could only ask for \$25 million more.

That is not enough money to care for this. We are mandating things must be done even though, in a reform fashion on IDEA, but we are still not sending the dollars there to accomplish it.

So, yes, this is a small amount. It does accomplish two things that I would like to see: It drives efficiency and the bureaucracy in Washington and mandates it. There is less money for you to get the job done. Think about innovation, do it in a different way.

And second, it does send money to the local school district so that they can meet the mandate that we have placed on them even though, well-intentioned, that costs them far more than we ever send; that would come close to providing for the cost associated even with a revised IDEA.

I would support this amendment. I would ask the gentleman about his points of order.

Can I ask the gentleman from Wisconsin [Mr. OBEY] what the point of order that he would raise on this amendment would be, so that I might know.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. COBURN. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I did not raise it.

Mr. COBURN. Mr. Chairman, I thought that the gentleman might have one.

The CHAIRMAN. The gentleman has withdrawn his point of order.

Mr. COBURN. I stand corrected.

Mr. PORTER. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PORTER. Mr. Chairman, I want to make one further point when we talk about bureaucracies. The gentleman from Indiana has made a point about taking money from Washington bureaucracies and giving it to local school districts. There are bureaucracies in Washington, and there are bureaucracies also in many of our local school systems. I need only to point out that before the Illinois General Assembly gave Mayor Daley of Chicago control over the Chicago schools, 1½ years ago, one of the biggest bureaucracies anywhere in existence was the Chicago School Board. It was packed with patronage workers and certainly did not need any more relief when compared with the Wage and Hour Enforcement Division.

In other words, there are bureaucracies, if they exist, not only in Washington but out in local school districts in many of our big cities; there is not any doubt about that. To say that we are simply going to punish bureaucrats and give this money for the education of handicapped kids is not quite accurate in many instances.

Mr. COBURN. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, the implication is not punishment. The implication is how do we drive efficiency within the bureaucracy of our Government.

Necessity is the mother of invention, and if in fact there is less money, we will drive invention to get the job done in a more efficient way. We have done that throughout our entire history as a country. I agree with the gentleman, there are a lot of bureaucracies in the State of Oklahoma within the Education Department of the State of Oklahoma. But where do we start drawing that line? Oklahoma should clean up its bureaucracies. But we should not clean up bureaucracies in Washington because Oklahoma has failed to do it? I am not saying they have, but should they have failed to do it, that should not limit what we do.

Mr. PORTER. Reclaiming my time, Mr. Chairman, as I explained earlier, we have made a very direct assault on that by providing a lower rate of increase in all the salary and expense accounts in the bill than will be granted in salary increases. This funding level brings very strong downward pressure on the number of employees and therefore creates, in your mind at least and maybe mine, also greater efficiencies.

Mr. COBURN. Mr. Chairman, if the gentleman will continue to yield, I would concur with that, but remember, not all the cost of the Department of Labor is salary and benefits, although that is a large portion of it. There is a large area that is not. So when we say we increase a total number, it is not all going for salaries and benefits. In fact, they could hold their other costs even and meet those equally well, meet the demands of a salary increase.

Mr. PORTER. Reclaiming my time, Mr. Chairman, this is an S&E account, and they could not do that as a matter of fact.

Mr. MANZULLO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the McIntosh amendment. It is amazing, just absolutely astounding, that here the U.S. Congress proposes in this Labor, Education and Health and Human Services bill to increase the bureaucratic account of another one of the 10,000 agencies and programs that we have here in Washington, and really it is at the expense of local school boards that have to bear more and more of the burden under IDEA.

It really strikes me that this is the complaint about Washington, this is the complaint about big government when 435 Members here assembled in the House of Representatives can take a document and increase the amount of money to run a particular agency or bureaucracy, and yet, when a movement comes, when an amendment comes to take the money that would go from the Washington, DC, bureaucrats and to send it home not to local school

board bureaucrats, because every dollar that would be sent back home to fund IDEA is not going to more bureaucrats, it is going to the children, the children that are the beneficiaries of IDEA, the children that suffer with these incredible handicaps, the children whose handicaps and disabilities are so overwhelming that this House voted 432 to 3 in order to pass a program like that, it is the children.

And the services that are given to the children at the local level, they are the ones to whom we must look and say and ask this question on the McIntosh amendment: Who is more worthy of receiving Federal dollars, the children with the disabilities or increasing the bureaucratic account to which the gentleman from Indiana [Mr. MCINTOSH] has addressed his amendment? That is the issue.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. MANZULLO. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I would again suggest to the gentleman that the assumption behind his statement is simply not accurate. For years, a portion of this money went to support bureaucrats in local school districts that were part of a political patronage machine. Our own city of Chicago is an example and everyone knows that.

Mr. MANZULLO. Mr. Chairman, I do not come from the city of Chicago, and I do not claim any of the Illinois politics. All I know is that every additional dollar that goes back to the school district in my school district, not one more cent goes to a bureaucrat. They do not hire more bureaucrats. They may hire more staff to deal with those disabled children, but that is the purpose for which IDEA is intended.

□ 1030

Mr. PORTER. If the gentleman will yield further, I am certain that is true in his school district. I am simply saying that is not true in every school district, and particularly history tells us in many of the big city school districts across America this money does not get to the kids.

Mr. MANZULLO. Is the gentleman saying that money is spent more wisely in Washington than locally back home?

Mr. PORTER. No, sir, I am simply saying there are bureaucracies at both ends of the funding streams to classrooms and often the money that is intended to go to classrooms does not actually get there. That should concern us just as much as money spent here in Washington.

Mr. MANZULLO. I understand, but it is our job to stop bureaucracies from being wasteful here in Washington. It is the jobs of the folks back home to stop bureaucracies there. But it is also our job to make sure we do not have any more of these unfunded mandates. That is the purpose of the McIntosh amendment. IDEA should have been

fully funded a long time ago. And how we do it, we take the money out of these bureaucratic accounts and send it to the kids.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to support the amendment of the gentleman from Indiana. It seems to me that this amendment really goes right to the heart of everything that we as Republicans stand for in the Congress, the idea being that we support the 10th amendment, leaving those things to the States that the Founders have set forth for them to be responsible for, that we support the idea that the Federal Government should not be making mandates on States and localities that it does not fund. I was a State Senator for a number of years and we always had a problem with this huge Federal mandate that imposed the requirement that moneys be spent, but we had to live up to whatever the Federal Government told us that we had to do, and the Federal Government does not keep its word very often and has not kept its word in this area.

In 1975, when this program was authorized, it was set forthright in the legislation that the Federal Government would pay 40 percent of the cost of this program. At no time has it ever lived up to the law in that regard. In fact, the most it ever got to, the gentleman from California [Mr. RIGGS], our chairman, has informed me, was 10 percent. It is not even that this year.

This is an opportunity to take some money and move it over to fund what is a very worthwhile program but a very expensive program. It is a start in the right direction. I think, Mr. Chairman, that it is important that we at least start moving in the right direction even if at first we cannot put all the dollars into it that we would like.

The McIntosh amendment tries to scrape up a few more dollars that can go into this program. That is very consistent with the Republican philosophy of not having mandates and where we do have mandates, of moving to fully fund those mandates, to pay for the things that we the Federal Government are imposing on the States and the localities, not just to pass the mandate and let them foot the bill. That is not our philosophy. I think it is very important to support this amendment of the gentleman from Indiana [Mr. MCINTOSH] because it moves us in the right direction, and it will help pick up a little more of the cost that we the Federal Government are imposing on the States and the localities for what is a very worthwhile program.

Mr. SHADEGG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment from the gentleman from Indiana [Mr. MCINTOSH]. I hope my colleagues are paying attention to this debate because it is critically important that we understand

what is going on here. This is a simple proposal which says are we going to put more money behind Washington, DC, bureaucrats? Or are we going to put money behind disabled children who need education? That is the issue raised by the McIntosh amendment, and I think it is a simple one and a straightforward one and one on which I urge my colleagues to pay attention and to support the McIntosh amendment.

It is clear-cut. We can spend more money; indeed this bill does spend more money. It increases spending for wage and hour law enforcement. Wage and hour law enforcement is important. But I think the spending level we set last year was more than adequate. I do not know of grave abuses in that area crying out for a need. But on the other side, we can do as the gentleman from Indiana [Mr. MCINTOSH] suggests in this amendment, we can move these dollars, an increase in wage and hour enforcement is not really needed, over to take care of the education of disabled children.

It is a fundamental obligation of this Nation to take care of our disabled children. We wrote the IDEA program to ensure that States provide adequate education for those children who are disabled and who need it, but having written it, we have never funded it.

We have heard that discussion here on the floor. It is not like wage and hour law enforcement. We are funding that now. But we are not funding the education of the disabled children across America. We are indeed demanding that States provide that education, but we provide less than one-quarter of the funding that should be there for the education of those children.

That is the debate. Are we in favor of providing adequate education for disabled children across America or do we want more money to go into an already existing bureaucracy here in Washington and expand that bureaucracy by raising their budget? But it is an issue which reaches beyond the issue of the education of disabled children. It is a question of the education of all children. Because when we mandate that the States, as we do under the law, provide education for the disabled and we spell out exactly what they must learn and what they must teach and how much services must be provided, but then we do not provide adequate funding, that forces the States and the schools and the school districts across America to reach into the funding that should be there for other children, the not disabled children, and take money away from their education to provide education to the disabled children.

So because we are not doing our job, we are not fulfilling our responsibility to provide the funding to educate America's disabled children as we have mandated, we are harming the education of all children. All Americans ought to be concerned about this. It is important that we both educate the disabled, but that we not do it by steal-

ing money from the education for the not disabled, for the standard students, for the rest of the children in our schools. Yet by failing today, as we are, to provide adequate funding for IDEA, that is exactly what we are doing. We are stealing funding from the children's education of all, not just the disabled but the not so disabled as well. That is wrong.

The McIntosh amendment moves \$4.3 million, which right now would increase the enforcement of wage and hour standards into IDEA. It is simple, it is straightforward, and I urge my colleagues to support it. Do you stand in favor of expanding the wage and hour bureaucracy at the Department of Labor? Do you think we need to raise their budget over last year? Do you think we need \$4.3 million additional in wage and hour enforcement or do you understand that we have an obligation to educate both the disabled children in this country and not to force States and local school districts to steal money from the education of non-disabled students in order to fulfill our Federal mandate. I urge my colleagues to support the McIntosh amendment. I think it is critically important to change this legislation.

Mrs. CHENOWETH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, last year our Senator DIRK KEMPTHORNE from Idaho wrote and passed and had signed into law Senate bill 1 prohibiting unfunded Federal mandates. Unfunded Federal mandates have been a bane to local units of government and our States. We heard the statement just recently in the debate, if there are bureaucracies. Let me tell my colleagues, there are bureaucracies. In the Reagan legacy, Ronald Reagan knew what he believed in. He was very centered on the fact that power should go to the individuals and to the States. He is honored by people across this Nation because he was so focused and he never deviated.

This issue that the gentleman from Indiana [Mr. MCINTOSH] brought up is very special to me. Putting more money in funding for IDEA is a very important thing to me. I have a grandson who is disabled. I have six little grandchildren and one of them is disabled. I can tell Members, he is a beautiful child. He has unspeakable joy in his spirit. But he is disabled. As such, he pulls a kind of love and emotion from us that is unlike anything I have ever experienced. Hence, when I see the children who are under the IDEA program and the fact that their little lives are lived out in bodies that are disabled, my heart goes out to them. I am no different than any other American. Yes, we are a rich country and we can certainly afford to be able to help these helpless little children.

My children, my son and daughter, do all they can to help their children in their own way. But there are many, many, many parents who are not able to help as much as my children are, to

be able to help little Timothy, my grandson. And so when the gentleman from Indiana [Mr. MCINTOSH] brought this amendment up, it really struck home to me. \$4.3 million from a broken bureaucracy to the Individuals with Disabilities Education Act, it is a very worthy transfer of money.

Mr. Chairman, the question should never be, or the statement should never be, if there are bureaucracies. Indeed, there are bureaucracies. There are bureaucracies on the Federal level that are very broken. That is what the mandate was in terms of why we were sent back here to Congress, to carry out the Reagan legacy to not just fix a very big and broken bureaucracy but to fix it by streamlining it and making it very much smaller. To that end, that is what the gentleman from Indiana [Mr. MCINTOSH] is attempting to do in this amendment. I commend him for his forethought.

Yes, the McIntosh amendment takes money from a bureaucracy that would fund an unfunded mandate and gives it to children who really, really need it. This is a sound concept, Mr. Chairman. This is in line with the 10th amendment concepts and it is compassionate. We really need to be able to reach out for those little children who cannot help themselves. This is a good Republican idea. This is an idea that Ronald Reagan would be very, very proud of.

I ask myself again and again, as I have over the last few days, what are our priorities in this Nation? Our charge as lawmakers is to make sure that we understand the people's priorities and to be able to put them forth. As such, without the McIntosh amendment this bill does not do that. With the McIntosh amendment, it will begin to do that.

Mr. OBEY. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Mr. Chairman, I take a back seat to no one in my concern for disabled children. There is not anybody on this floor who does not have someone in their family who is disabled or someone close to them. I have a nephew who is disabled. I have another child in my family who was born with so many problems that by the time they left the hospital, his parents had almost \$400,000 in unpaid medical bills. So there is not anybody who does not understand that.

But the fact is that \$4 million added to this account will do virtually nothing to improve the situation that has been talked about because this account is already so large. But cutting \$4.3 million out of the agency that is charged with the responsibility to protect workers against slave labor conditions, to guarantee that workers are paid what they are entitled to be paid, to guarantee that they are not forced into working hours that are against

the law, that will indeed have a deep effect on the agency because the agency already has a much smaller budget.

I would make a larger point. It is true that the account into which the gentleman wants to put money is underfunded. Virtually every account in this bill is underfunded. The fact is that the budget agreement which has been imposed on us leaves this bill at least \$5 billion short of where it ought to be. There ought to be at least \$2 billion more in this bill for Pell grants. There ought to be more money in this bill for the National Institutes of Health. There ought to be more money in this bill for worker protection. There ought to be less money in the budget, in my view, for B-2 bombers.

□ 1045

If we want to correct the problem as large as the problem described, we are not going to do it with \$4 million transfers that weaken the Government's ability to meet its obligations to protect workers and see to it they work in decent working conditions. The only way we are going to get that is if we take money out of the areas of the budget that clearly do not deserve it.

For the cost of one of those B-2 bombers, we could pay the cost of tuition for every single kid at the University of Wisconsin for the next 11 years; we could pay the cost of hundreds of thousands of families in dealing with disabilities. This amendment does not do that.

This amendment is a token transfer that will have virtually no effect on the people we are trying to help, but it will very deeply cut a much smaller agency which is supposed to protect every worker in America so that their employers pay them what they are entitled to, so that their employers do not have them working in slave conditions, so that employers do not illegally hire aliens.

Mr. Chairman, I suggest to my colleagues, if they want to correct the problem, go back and correct the budget deal; quit giving billions of dollars in tax relief to the wealthiest people in this country who do not need it while the families we are talking about are getting table scraps. If we want to correct the problem, give this bill a larger budget allocation. Otherwise, they are cutting one deserving account in order to try to fund another account.

So I would urge the House respectfully to recognize that this House has no business weakening protections on minimum wage or weakening protections on the employment of immigrants. Some of the speakers who have addressed this amendment have made clear they do not believe in the Family Leave Act, they did not believe in raising the minimum wage, and so what they are trying to do is to eliminate funding that is enforcing legislation that they voted against in the first place.

I do not happen to agree with that; I do not think the House will, either. I

think there are a large number of Members in both parties who recognize their responsibility to see to it that working people work under conditions that are lawful and equitable. The amendment helps to weaken that guarantee, and I do not believe that people in either party in substantial numbers support it.

Mr. NORWOOD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield briefly to the gentleman from Oklahoma [Mr. COBURN], my colleague.

Mr. COBURN. Mr. Chairman, I would just like to answer that as somebody who voted against the B-2 bomber, who voted against the budget, who voted for minimum wage, as my colleagues know, I think \$4.3 million does a whole lot in Oklahoma, Wisconsin, Texas, and all the other States, and I think a whole lot less is accomplished with \$4.3 million run out of Washington, DC.

And to say that \$4.3 million does nothing is an example of what the problem is in Washington. It is because we perceive that \$4.3 million is a small amount. And when that amount of money goes to any school district, and I want to finish my point, and it is not my time I say to the gentleman from Wisconsin [Mr. OBEY], when that amount of money leaves Washington, two things happen: No. 1 is it is not wasted in Washington, and No. 2 is it has an opportunity to be put to excellent use in the various States.

And IDEA is a program that we have mandated that is underfunded, without a doubt, across this country, and just the other point that I was going to mention to the gentleman from Wisconsin [Mr. OBEY] is we have several other amendments to try to increase IDEA to make that impact much greater.

Mr. NORWOOD. Mr. Chairman, I say to the gentleman from Wisconsin [Mr. OBEY] let me make my statement, and if there is time left, I will be glad to yield.

Mr. Chairman, I rise to support the McIntosh amendment for, I think, some very clear reasons. IDEA is good. We have had it in this country for 22 years now. The idea here is to educate our disabled children and make them useful members of society. Who could disagree with that?

But in addition to that, the law also says that the Federal Government will fund their portion of that at 40 percent. Well, we are up to 12 percent now after 22 years, and my friend from the other side of the aisle implied that why do we not go ahead and fund it? We are in charge; why has it been just 12 percent? Why do we take it away from something else in the Education or Labor Department and fund IDEA? My question is, why have the Democrats not funded it over the last 20 years? Why have we forced this unfunded mandate down on the States and, in effect, have raised taxes on the people in the States without them really realizing it?

I think \$4.3 million is a large amount of money. I hope people watching this debate understand some of us realize it has six zeros on it. We think that at \$10,000 per district it is at least a step in the right direction.

Though we are only funding what the law calls for, 40 percent at 12 percent, we are trying to correct that situation, and I encourage all of my colleagues to support this amendment, support the gentleman from Indiana [Mr. MCINTOSH], and maybe we will have some more amendments before the day is out to continue to try to fund what is a good program and what does help our children.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. NORWOOD. Mr. Chairman, I now yield to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, my point was not that this money is a small amount of money. My point was simply that a \$4.3 million impact on a \$600 million budget is infinitesimal in comparison to its effect on a budget which is only one-sixth that size.

I would make the point that the amendment would provide less than \$1 in additional help to every child my colleague is talking about, but it would provide a devastating cut in the ability to enforce protection for workers not in Washington, but in sweatshops in Los Angeles, in New York, and Chicago, in Wisconsin or any other State in the Union where workers are being taken advantage of every day.

Mr. NORWOOD. Reclaiming my time, I simply say that this is a step in many steps for which we can finally get the Federal Government to do what it said it wanted to do, fund IDEA at 40 percent levels. It is not comprehensible to me that we have simply passed that law and simply not done what we said we will do. We very seldom pass a law and allow people at home not to follow that law. Why can we not fund it? And if we can only get \$10,000 per district in this amendment, then we can keep trying until we get up to the correct funding level.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. NORWOOD. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, by my calculations we are going to need \$11 billion of new spending in this one line item alone. Is the gentleman telling me he favors doing that?

Mr. NORWOOD. No. What I favor is repealing the law and not having us fund it at 40 percent or change the law or either fund it.

Mr. MILLER of Florida. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the McIntosh amendment. Mr. Chairman, this amendment does not reduce total spending. It just shifts \$4.3 million into the IDEA program which is already a \$4.3 billion program.

There are two issues here we are debating basically. One is a philosophical

issue, which is what my colleagues on my side of the aisle are talking about, and I agree with them on this philosophical issue.

The IDEA program is a good program, and I would like to have money shifted out of Wage and Hour. But that is the one issue that I agree with my colleague on. The other issue that we do not agree on necessarily, apparently, and I agree with the gentleman on the other side of the aisle, is we have to govern here; we have to govern, we are the majority party.

Last November the American people elected a Democrat to the White House, not the gentleman that I voted for, but there is a Democrat in the White House, and they elected us with a small majority in the House of Representatives. As a member of this subcommittee, it is difficult to make some compromises, but compromise is the way to run as a majority.

The issue they talk about, the IDEA program, everybody supports the IDEA program here. I, last week I had the pleasure of visiting a program, the Easter Seal facility in Sarasota, Bradenton, in my area, and they just started a charter school, which is really fascinating to see a charter school started for IDEA students in my area. I have a niece who is a teacher of special ed., I have a nephew that is a special ed. student. So we all have a personal impact on that, and we have a reason to support that.

But IDEA program is something Republicans should be proud of. We have increased the spending on IDEA in the past 2 years from \$3.3 billion to \$4.3 billion. That is a 30-percent increase in the past 2 years. So we have a lot to be proud about in that area, and increasing another one-tenth of 1 percent, \$4.3 million, I agree with.

I voted against the minimum wage increase. I do not think we are philosophical; I mean, sure we need that whole agency, but the problem is and the question we are debating here is should and can we govern? And I think at this stage we need to say, hey, this is the best we can do, let us move forward based on the real dollars involved because of inflation. We are not getting that much of a change because of the wage increases that are mandated by the President.

So, as much as I support the IDEA program, I like to see more money poured into that, and we are moving in the right direction on that and we have made a lot of accomplishments. I think from a governing standpoint we should vote down this amendment and move forward.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Over 20 years ago we passed IDEA, the Individuals with Disabilities Education Act. I was one of the authors of that legislation. And one of the reasons we passed that act, the compelling rea-

son we passed that act, because these very same school districts and administrators and so forth that so many are now championing, saying they could use this money better than the Wage and Hour Division, were the same people who denied disabled children access to the schools. They denied it as a matter of their school policy. And the reason we have a Federal mandate is because we had to mandate under Federal law that these children be allowed to cross the threshold of the school doors.

In States all over this country, but for this law millions of children would not get an education, simply would not be allowed in schools because they were on crutches, they were in a wheelchair, because they suffered from Down's syndrome or cerebral palsy. They would not be allowed because that is what school administrators all over this country decided. Oh, they can be educated in basements, they could be educated off-site, but they could not come to school with the regular students. If we never put a dime into this mandate, this mandate should stand.

But through the efforts of the gentleman from Illinois [Mr. PORTER], the efforts of the gentleman from Wisconsin [Mr. OBEY], the efforts of the gentleman from Pennsylvania [Mr. GOODLING], many people preceded them, we put a substantial amount of money into this effort.

And where are we today? We are almost a billion new dollars in this effort after the reauthorization on the unanimous bipartisan basis, on the unanimous bipartisan basis. And today what do we see? We see a group of Members on the other side seeking to use these children as a weapon, as a weapon against the rights of working men and women to have the laws enforced, to guarantee them the minimum wage that they are entitled to under the law, to guarantee them the overtime pay that they are entitled to under the law, to guarantee them the comptime that they are entitled to, to guarantee the maternity leave policy that they are entitled to under the law, because know what? Know what? Unfortunately, out there in the private sector among those noble employers there are thousands of them on a daily basis that tell their employees: "When you come to work, don't clock in until after the first hour; when you stay late, go off the clock early," so they do not have to pay them the full minimum wage or they do not have to pay them the overtime.

This is not a matter of conjecture, this is a matter of record that hundreds of thousands of workers on a regular basis are denied their overtime pay. That overtime pay is the difference of whether or not they can provide for their family or not provide for their family. That minimum wage pays the difference of whether or not they need public assistance or they do not need public assistance, whether they can provide child care or they cannot provide child care for their children as they work.



This is about the enforcement of people in the garment industry that we have found chained to their sewing machines. This is about the enforcement against people who we found chained to the machines and doors locked and working in oppressive situations. This is about whether or not Mexican citizens are brought here who are deaf and forced to work against all of the labor laws in this country.

□ 1100

This is about Vietnamese women, Laotian women in Los Angeles. So now do we want to use the handicapped children, the disabled children and their families of this Nation as a weapon against these policies that we do not happen to agree with? The author of this amendment does not happen to agree with the minimum wage.

The author of this amendment opposes the Family and Medical Leave Act. So he has decided, he has decided that he will conjure up a transfer amendment that will tug at our heart strings about disabled children, and hopefully will disguise, will disguise the effort here to deny the enforcement of the basic laws of American workers, and in most instances, the basic rights and the basic laws of American workers who are at the lowest edge of the wage scales in this country, people who work in hot, heavy, and dangerous industries, people who toil in jobs that most Americans are not interested in having.

Go to the migrant fields, see the conditions under which they work, and then say we are going to deny them the enforcement. If you do not like those laws, why do you not just stand up and try to repeal them?

Some, I believe, voted against the minimum wage because they do not believe in it. But do not use this way, do not use these disabled children, do not use their families to suggest that somehow we can provide a dramatic difference.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 3 additional minutes.)

Mr. MILLER of California. Mr. Chairman, do not use this amendment to suggest that we can dramatically change their educational experience. Do not do that. Stand up and say what it is really about. It is about the undermining of the wage enforcement, hours enforcement, of hard-working Americans. It is about those field officers in L.A., in Tucson, in New York, in Miami, who are out there trying to enforce the wage and hour laws of this country. We ought to understand that, and this Congress ought to be committed for its reauthorization.

I see the chairman of my subcommittee sitting there, the reauthorization on a unanimous basis. Why did you not strip the mandate out of 40 percent then? Why did you not increase it

then? Because you know what? You know the Federal Government is trying to do the best we can under the budget we have been given.

But the answer is not to strip American workers of their protections. It simply cannot be. We cannot use these children for that effort.

This is thinly veiled, if veiled at all, because when the gentleman got up to speak the second time on his amendment, he made it very clear that this is about provisions of the wage and hour laws that he disagrees with. This is about provisions that he wishes this Congress had not passed, but this Congress did pass; and those are the laws of the land and the people of this Nation, the workers in this Nation, are entitled to have those laws enforced.

It is very clever to suggest that we are pitting some faceless bureaucrat in some pejorative sense against a child with disabilities. But what we are really pitting against here is the ability of those children to have their parents' wages enforced by hard-working officials in the Labor Department, in the regional and local offices, against employers that make a conscious decision, a conscious decision to deny people overtime, to deny people minimum wage, to deny the rights of workers in the fields, in the sweatshops of this country. They make a conscious decision.

And how do those people fight back? How do they fight back without a Labor Department that can enforce their rights?

But, of course, many of the supporters of this amendment do not much give a damn about those workers' rights, do not much give a damn about whether they get the minimum wage or not.

But that is unacceptable. It is going to be unacceptable to the people when we vote on this amendment, and it is clearly unacceptable to the American people that support overtime pay, that support a 40-hour workweek, that support a minimum wage. And this amendment will not disguise that agenda.

I would hope my colleagues, when they come to the floor, will understand that they need to strip the camouflage off this amendment, they need to look at the intent of this amendment and understand that this is just more of a consistent attack, a consistent attack against the rights of working men and women in this country, and a specifically consistent attack against those who are the lowest paid and the least protected of the American work force.

I would hope they would vote "no" on this amendment.

Mr. NEUMANN. Mr. Chairman, I move to strike the requisite number of words.

First, I would like to begin by saying that I find that entire conversation that was just had here on the floor to be offensive.

Second, I would add that any time that I have found that a person has to resort to the language that most peo-

ple would find unacceptable in this country, that generally they are trying to make a point that does not hold water.

Third, I would point out that if this amendment passes, the account he is talking about is fully funded to last year's level and, in fact, is not being cut back but rather frozen to last year's level.

Fourth, and the most offensive of all is to suggest that somehow we do not care about these children.

Mr. Chairman, I would like to yield to the gentleman from Idaho [Mrs. CHENOWETH], who has a disabled granddaughter, and just grant her some time to talk about the disabled granddaughter that he just said we do not care about, because I think we care an awful lot about these disabled children.

I would be happy to yield to my good friend, the gentlewoman from Idaho [Mrs. CHENOWETH].

Mrs. CHENOWETH. Mr. Chairman, I thank the gentleman from Wisconsin for yielding.

Yes, I guess we are supposed to not feel very much in this body. We are just supposed to talk. But I can say that I felt a great deal of personal umbrage when we were accused of using these children for our own political ends.

I can confirm the depth of feeling and emotion, as a grandmother, that many Americans must feel when they meet these children, when they hold them on their lap, when they hold them in their arms, when they rock them to sleep, when they sit and work with them and try to read stories to them, and when they delight in the fact that they realize the child has comprehended, because suddenly their face lights up and they laugh and they squeal.

No, these are very personal things to us. And the fact is that the gentleman from California not only accused us of using these children, but he also said that everything had been adequately cared for because we have mandated it.

Well, that is just the point. This body for years and years and years, Mr. Chairman, has been mandating unfunded mandates, mandating on the States and local units of government.

Now, if we really want to take care of the disabled children under IDEA, if we really want them to be able to have the very best of the creative abilities that their Creator gave them, find that level of accommodation in society through education, then we will provide them with the very best educational opportunities that we can, not out of using one another for political gain, but out of pure, plain compassion, out of caring for those people, those young little children, those little lives caught in a body and in a mind that is disabled.

No, I sometimes think that they do not understand, and so it is very easy to use political rhetoric. But again I invite them to hold these little children on their laps, rock them to sleep, read them a story, work with them as their little minds develop.



Mr. NEUMANN. Mr. Chairman, reclaiming my time, I thank the gentlewoman from Idaho.

Mr. Chairman, it is a very serious issue we are debating here today. Really, this issue, and I have heard what other people are saying this is about, this is really about priorities in spending.

The people have elected us to make decisions on what it is that is most important in this Nation for us to spend our money on. What we are being asked to decide here in this amendment today is, are we better off increasing an account, and remember, it is already at last year's level even if this amendment passes, are we better off increasing the amount of dollars spent on bureaucrats in Washington, DC, or would we be better off sending that money off to the States and letting that money get through to help children like the gentlewoman from Idaho's granddaughter and other kids like her all across this great Nation?

That is what this debate is about. It is about priorities and where the tax dollars that are collected from the people get spent.

I would like to go a step further, because I think that eventually we want to get to a different point altogether and a different level of discussion altogether.

Eventually those tax dollars that are being collected and brought out here to Washington and then being redistributed to the States after the bureaucrats in Washington siphon off a good portion of the amount of tax dollars collected, eventually would it not be nice to get to the point where we simply lowered the taxes on the people to a point where Washington did not have to collect that money first and then Washington decided on where and how that money is redistributed?

Why not leave it out there in the States, in the hands of the people, like our Constitution says we are supposed to do in the first place?

There are so many other points I would like to get back to. I have heard during this debate that \$4 million will do nothing, \$4 million will do nothing. I remember during the first time I campaigned, and I lost two elections before I was elected, I remember thinking as I listened to people in Washington talk, that they had lost total touch with people in the real world.

\$4.3 million is a lot of money. \$10,000 in every congressional district means a lot to people out there in the real world. Have we really been out here in Washington so long that we think \$4.3 million is irrelevant?

It is not irrelevant. It is very meaningful to the people in Wisconsin and Oklahoma and Indiana, and all across this great Nation of ours.

Mr. TIERNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. TIERNEY. I yield to the gentleman from Wisconsin.

Mr. Chairman, I would like to yield to the gentleman from Wisconsin [Mr. OBEY.]

Mr. OBEY. Let me simply say, Mr. Chairman, these are not Washington bureaucrats who enforce the laws to protect workers' rights in this country. These are Federal workers who died in the Oklahoma City Murrah Building. Those people are not Washington bureaucrats, they are people who lost their lives because they were enforcing the law to protect American citizens.

I get tired of people who get paid \$135,000 a year on this floor attacking other people in the Government, who work just as hard as we do, who care about this country just as much as we do, and who are given a very difficult job by us to enforce the laws that we pass that are sometimes confusing and sometimes conflicting.

So with all due respect to politicians who take cheap shots every other day at a lot of other people who work in this Government to create a better life for Americans all across the country, I want to point out, the money we are trying to keep in this budget does not stay in Washington, it goes out to every community in the country to protect every worker in the country so that their basic rights are protected under laws which many voted against.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. TIERNEY. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I would just reassert my charge. If we are into bona fides on disabled children, I would invite you to look at my history, and I would also invite you to come to the George Miller Centers for Severely Disabled Children. At any time, you are all welcome.

But the fact of the matter is, those children should not be used to devastate the wage and hour enforcement for the working Americans in this country.

Mr. Chairman, I thank the gentleman for yielding.

Mr. TIERNEY. Mr. Chairman, reclaiming my time, I just want to start by saying when I listen to Members rise and talk about their personal experiences with members in their family who might be disabled or handicapped, if we took a survey of the 435 Members here, I would think we would be hard-pressed to find anyone who does not have some experience, either in their family or someone very close to them, in that situation.

Maybe that is why, because all of America feels that passion and compassion, that we have an IDEA Program. I think that we ought to stop and move away from that for a second and look at this bill and stop accusing one another, and say that if IDEA is in fact supported by all of us, then the opportunity to put more money into that program was there in the committee and the majority did not take it.

It was there in the subcommittee and the majority did not take it. It was

here on the floor, and rather than taking it on a clear vote of just going and putting more money into IDEA, we get to the root of what I suspect is really at heart here, and that is something that they oppose very much, the enforcement of wages and working conditions in America.

If that is the case, do not connect them. If you do not want to be in a position of trying to say that you do not care about disabled and handicapped children or people, then do not connect the two issues and do not cynically use one and pit it against the other.

Come clean. You have a problem. You lost on that policy issue, obviously, when it was up for a clear vote. The majority, comprised of people on your side of the aisle and this side of the aisle, support enforcement of wage provisions.

If you want to cut that, go directly at it and let us have a vote straight up. Do not do what I think is a very cynical effort, contrast it against IDEA and programs like that, when you had the chance to pump up those programs and you walked away.

I think we ought to just be more cautious about the way we move in this area and not have stories about people's hardships. We all have them. Deal with it directly. If you want to vote on IDEA, put it up and vote one way or the other. If you want to vote on the policy of wage enforcement, do that and that is the way we go.

I think now we are into this philosophical realm. For the next day or so we are going to hear about everybody trying to retract where their philosophy is and try to do it through the back door by pitting programs against one another and try to get back ground that your segment of the party over there apparently has already lost and is trying to reclaim.

Mr. MCINTOSH. Mr. Chairman, will the gentleman yield?

Mr. TIERNEY. I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, let me point out that what is happening here is that my opponents on the other side are resorting to impugning other people's motives, including the grandmother of a disabled child, who supports this bill, because they have been caught, figuratively, with their pants down. They have to choose between funding bureaucrats in Washington and around this country and/or actually funding children that will benefit from this.

Mr. TIERNEY. Mr. Chairman, reclaiming my time, that is totally inappropriate and far from the situation.

As I said, your grandmother over here is not unlike a number of other Members here, and we are not impugning her integrity or her compassion for that person. We are saying, why was she not there in the subcommittee and the committee looking for more money?

Where were you? Where were you when you dealt with IDEA? Where are

you when it comes to the point in time when you want to attack working people in this country, some of whom have disabled children, some of whom cannot get things enforced so they can bring home a decent paycheck, some of those people who work every day and should have an enforcement mechanism there to make sure that their conditions are better?

We have a country that is divided by huge gaps in wages, in wealth, and you want to attack them and you use this cynical method to do it.

□ 1115

Mr. McINTOSH. Mr. Chairman, I ask unanimous consent to strike the last word.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The gentleman from Indiana [Mr. McINTOSH] is recognized for 5 minutes.

Mr. McINTOSH. Mr. Chairman, let me answer that specific question, where have I been on IDEA. I have been working with the gentleman from California [Mr. RIGGS], the chairman of the subcommittee, to ensure that that program will work. We passed an amendment over the summer that preserved the core of IDEA against attacks, against attacks that it was abusive and being abused, and therefore should be thrown out. And we said no, there are fundamental principles here that we are going to make education available for disabled children.

We labored hours and hours and hours to come up with a compromise that the disabled groups, the parents, the teachers could all agree to to preserve that bill. I believe in it passionately. I believe this funding is necessary in order to stand up for those children, and to have anybody say that we are being cynical about that is outrageous. We want to get \$4.3 million to those children, and that is what this amendment is all about.

Mr. RIGGS. Mr. Chairman, will the gentleman yield?

Mr. McINTOSH. I yield to the gentleman from California.

Mr. RIGGS. Mr. Chairman, I appreciate the gentleman yielding to me, and would like to weigh in on the debate at this point in time before the debate becomes more heat than light.

Mr. Chairman, let me see if I can provide some perspective. Mr. Chairman, what we are talking about here is a matter of priorities. I want to remind my colleagues, we are talking about a \$4.3 million increase for enforcement and administration at the Department of Labor or a further \$4.3 million increase for special education, that is what the McIntosh amendment is all about.

Giving credit where credit is due, I want to point out that the appropriators did increase in their bill funding for IDEA, Individuals with Disabilities Education Act, programs by \$275 mil-

lion. However, that is substantially below the Senate funding level of \$830 million. I think what we ought to be striving for here, and again as a matter of bipartisan priority, is to try to reach that target in the IDEA amendments, in the special education reauthorization, of \$1 billion more in new Federal taxpayer funding.

Even if we reach that target of \$1 billion, this will still remain an underfunded Federal taxpayer mandate imposed on State and local school districts. But if we do reach that \$1 billion trigger, because of the legislation that passed this House overwhelmingly and was signed into law by the President, if we reach that trigger, that threshold amount of \$1 billion in new Federal taxpayer funding for IDEA and special education, local school districts will be able to reduce the amount of money they spend on special education.

That is a first, as far as I know. It is unprecedented in Federal education policy. In other words, they will be able to redirect those State and local dollars into other important educational programs and activities, if we reach that \$1 billion increase in Federal taxpayer funding for special education.

The Senate is at \$830 million, the House is at \$275 million. With passage of the McIntosh amendment, the House will be at \$279.3 million, and if we want it to get even closer to the Senate figure, I have a great idea, Mr. Chairman. Let us take the \$200 million for something called Whole School Reform sloshing around through this bill, and let us apply it, as I suggested on this floor last night, to special education.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. McINTOSH. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I just want to point out to the gentleman from California that his figures understate where we were. The overall account has increased by \$312 million from the previous year, and we added \$25 million more to that last night, for \$337 million, and this amendment would add \$4 million more, for \$341 million, rather than the \$279 million that the gentleman from California [Mr. RIGGS] referred to.

I have to say, if I may, that I have already met with the chairman of the full committee on this subject, which is a very high priority with both the gentleman from California and his full committee chairman, and we are committed to working as closely as we can to the highest number we can reach in terms of this account in the final bill. No one can say that this account has not been served well.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. McINTOSH] has expired.

Mr. McINTOSH. Mr. Chairman, I ask unanimous consent to proceed for an additional 4 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. OBEY. Mr. Chairman, reserving the right to object, let me simply say that, as we know, the normal procedure is for Members to get one kick at the cat. The gentleman has had three occasions on which he has spoken on his own time. I have not objected.

We have had a number of Members last night who asked unanimous consent to speak a second time. I did not object, and because they had done it on numerous occasions, I have done it once myself. But I simply want to say that I think Members need to be aware of the fact that the normal course around here is to speak once.

I understand that there is a filibuster by amendment going on. I would simply ask, and I am not going to object at this point, but I would ask Members to show restraint in the number of times that they make that request, or I think Members will feel constrained to object.

Mr. McINTOSH. Mr. Chairman, I withdraw my unanimous-consent request, and will reserve it to the end of the debate, as the author of the amendment.

Mr. OBEY. Mr. Chairman, again, if I could speak under my reservation of objection, I think there has been a misunderstanding of how debate works. There is not assigned time. Members are generally allowed to strike the last word once. We do not have assigned blocks of time when we are operating under the 5-minute rule. The 5-minute rule is different than debating under conditions when we have time assigned to each amendment.

The CHAIRMAN. The gentleman from Indiana [Mr. McINTOSH] has withdrawn his unanimous-consent request.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the subcommittee, I want to assure Members that our chairman, the gentleman from Illinois [Mr. PORTER], as well as our ranking minority member, the gentleman from Wisconsin [Mr. OBEY], and the members of our committee worked incredibly hard to strike some kind of balance in the bill.

This is a bill that addresses so many of the critical needs in our country, whether it is breast cancer research, ovarian cancer research, diabetes research. I cannot explain to the Members the difficult, difficult time we had trying to establish the priorities. Our chairman cares deeply about the NIH, about education, about all the issues that we concern ourselves with on this bill.

I can assure the Members that there are dozens of areas in this bill where I personally and many of my colleagues would have liked to see additional funds. In fact, just today I have been talking to my colleagues about community schools, after-school programs. We would like to increase the numbers

in all these programs so we can get more money down to the local level and raise standards for our youngsters.

This balance was achieved with a great deal of effort and a great deal of compromise. We were happy to come to the floor with a bipartisan bill. Unfortunately, some Members, for their own political purposes, want to address this balance that was carefully worked out in ways that I frankly find shameful and cynical.

If we are going to get up here as mothers and grandmothers, well, I qualify. I am a mother and a grandmother. Mr. Chairman, in 1992 I was part of the committee that worked very hard and proudly passed the IDEA bill. In my district, if you reach out to the parents who have children that have benefited from this program, sure, we would like to increase the dollars even more, and as the chairman said, we did increase it \$312 million. But that is not what this debate is all about.

Let us, for a moment, think about the hardworking men and women who are parents of these children, who have to go to the store every day, who struggle to balance their lives, who work hard for a living, who have to take care of these children, and who work tremendously hard against the odds because they have additional burdens.

Let us think about these parents and let us think about what this cut would do, and let us worry a little bit about the parents who are being exploited in many situations. That is what this division is all about. Sure, most employers respect their workers, but this division is trying to ensure that those workers who are not treated fairly, who are not getting a decent wage, are going to have to be treated fairly, or the law or the U.S. Government will take action.

As one of my colleagues said before, why are we hiding behind these children that desperately need help, and whom our chairman and our minority member and all of us want to help? Why do Members not just come out and say they want to repeal this bill, that they do not like wage and hours enforcement? Why are they hiding behind these children?

Mr. Chairman, let me just say I am strongly opposed to this amendment. I find it cynical and shameful, and I do wish the gentleman from California [Mr. RIGGS] and others would have fought harder in the committee if they wanted to raise the money from \$312 million to an additional number, but not try and pit one group against another.

In fact, frankly, I find the debate on all these amendments cynical and shameful, because instead of coming right out and supporting the issue, they are trying to pit one group against another. Mr. Chairman, let us vote this amendment down and move on, and let us try and pass this bill.

Mr. Chairman, there was an agreement that we were not going to add

riders to this bill, that we had worked very hard to get good compromises on each of these very difficult, difficult issues. Let us vote down these riders, move forward, and pass this bill.

Again, I want to congratulate the gentleman from Illinois, Chairman PORTER, and the gentleman from Wisconsin, Mr. OBEY, the ranking minority member, on their outstanding work, and working in a bipartisan way. In contrast to last year, it was a pleasure working in a bipartisan way, Mr. Chairman.

Mr. GILCHREST. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to compliment the gentleman from Illinois, Chairman PORTER, and the gentleman from Wisconsin, Mr. OBEY, the ranking minority member, for ushering through some very positive legislation with very limited resources, but appropriately, application of those resources for very, very critically needed programs to ensure the safety of the American people and American children in a diverse way. It is critically needed. It is done in a very difficult environment.

Mr. Chairman, I am not on the authorization committee or the appropriating committee, but I do have a very critical need for dollars in the IDEA Program in my district. I do not want to get involved in the hornet's nest of discussion about the controversy or about anybody's motives. I stand firm in my belief that we should protect workers' wage and hour rights. The Department of Labor should do that with all due diligence, and the amount of money we appropriate for that purpose needs to be the amount that is necessary to perform their given responsibilities.

We have to choose between critical programs. When we are talking about a program to educate children that are physically and mentally handicapped, where they have been underfunded for decades, probably for the existence of public schools, it is necessary, I believe, under those circumstances, and given the circumstances of the process that we use here in Congress, we are now ready to give a little more money to the IDEA program.

□ 1130

And I think the amount of money that goes to the IDEA program to ensure that the door remains open in our public schools for those children, to ensure that the right kind of professionals are hired to deal with those difficult problems, to ensure that there is a nurse nearby that knows how to administer to those children, to ensure that the technology is available in the school so those children can learn and have opportunities and some day have job opportunities and career opportunities, it takes a little money.

So, Mr. Chairman, in my mind, the amount of money that is taken away from the wage and hour enforcement is a very small amount of money. I do not

think the Department of Labor is going to miss that amount of money with the mission that they have to perform, their duties. But that small amount of money, Mr. Chairman, that 4-some million dollars going into the IDEA program, from my perspective and in my district, and knowing children in that program, and having former students who have grown up now and have children and, sadly enough, have children in the category of being mentally or physically handicapped, I know the parents, I know their despair, I know their sorrow, I know their frustration.

So I am not involved in a turmoil of motives. I am involved in a few extra dollars going into a program that is really going to make a difference. So, Mr. Chairman, I support the gentleman's amendment.

Mr. TIERNEY. Mr. Chairman, will the gentleman yield?

Mr. GILCHREST. I yield to the gentleman from Massachusetts.

Mr. TIERNEY. Mr. Chairman, I would ask the gentleman from Maryland [Mr. GILCHREST] if he knows how much the increased amount contained in the amendment of the gentleman from Indiana [Mr. MCINTOSH] would affect those children in his district?

Mr. GILCHREST. Mr. Chairman, reclaiming my time, we are talking about \$4.3 million into the IDEA program nationwide. And I fully understand that it is a very insignificant amount of money, in all likelihood.

Mr. TIERNEY. Mr. Chairman, if the gentleman would continue to yield, does he understand that it is \$1 per child?

Mr. GILCHREST. Mr. Chairman, again reclaiming my time, I understand that \$4.3 million in a \$1,600,000,000,000 budget is minuscule. But for those parents that are listening, the discussion of the positive nature that we want to protect their children, teach their children, love their children, give their children opportunities, the joy that that brings into their hearts is worth that small amount of money and in my mind is worth the debate.

Mr. MARTINEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I, like the gentleman from Maryland [Mr. GILCHREST], am not going to challenge anybody's motivation. But I guess the Members who have spoken so far, or at least some who have spoken so far, when they have risen they have justified their reason for their position, and it included being related to or having someone in their family that has been handicapped or has a learning disability.

Mr. Chairman, nine brothers and sisters. I have 106 nephews and nieces and grandnephews and grandnieces. I have 5 children of my own, 14 grandchildren, and 2 great grandchildren. And I assure my colleagues in that number there have been those unfortunate children that have had disabilities and needed that education.

Mr. Chairman, I was raised in a neighborhood and at a time that those children were being denied that equal education. So no Member, I think, has as great compassion for those children as I do that was raised in that kind of an environment. So like I say, I will not challenge the motivation, but I will challenge the reasoning, and let me say why.

All of those children are being nurtured and cared for by someone who is working and trying to make a living. It is important to them that they make the kind of wages they need so they can take care of those children.

So, Mr. Chairman, I wonder how far does the compassion of my colleagues go? For the entire family, or just the child? Because after all, it is that adult that is responsible for that child. And where my colleagues may want to see that child get a good education, that parent wants even more than that for that child, and I do not think we should be standing in between them and their ability to provide a good living for themselves and their children and their families.

That is how important taking the money from one area to another is in this particular case, the Wage and Hour division.

Mr. Chairman, let me tell my colleagues this, that that money that is used there is very important. All of the budgets of all the agencies have been cut over the last few years tremendously. They are not operating on surpluses; they are operating within the budget restraints we have given them and are working very hard with that money. They are trying to do more with less, is what the theme was.

What really is a base here is what a Member on the other side of the aisle said: We have to prove that we can govern. Well, Mr. Chairman, my colleagues on the other side do not govern by political philosophy; they do not govern on dislikes or dislikes for one agency or the other and in their own selection of one priority or one agency over other. All of these things are good causes and all of these things have been considered by the Committee on the Budget in their deliberations.

It has been more than 2 years now that our subcommittee, the Subcommittee on Early Childhood, Youth and Families, with the gentleman from California [Mr. RIGGS] as chairman, we have been deliberating that IDEA bill. In the last Congress it failed because we were not able to come to an agreement. Now, finally, we have come to an agreement on it and we passed out by almost unanimous vote a bill that was a compromise bill and everybody shook hands on it and thought what a great job we did.

Mr. Chairman, always in those authorizing committees there is a consideration of how much money will be made available. Our chairman of the full committee, the gentleman from Pennsylvania [Mr. GOODLING] got up yesterday and got another \$25 million

for this program. That is not \$4 million. That is \$25 million.

So we saw the gentleman from Illinois [Mr. PORTER], the chairman of the Subcommittee on Appropriations, stand and say that he would work as hard as he could to get that money. I would think that Members on that side would trust their own leaders and allow them to do everything they can to increase that fund as much as they can.

Mr. Chairman, let me go back to that mandate that my Republican colleagues keep talking about. That is not a mandate. The gentleman from California [Mr. RIGGS] and I studied this law considerably over the last few years getting ready to come to this bipartisan agreement on this bill. We can both tell our colleagues that there is no mandate in there. The States do not have to take that money, but the States do have to educate these children.

Let me tell my colleagues why they have to educate the children. Not because Congress demanded it, but because the courts demanded it. There was a court case that ruled that these children were not being educated and that they must be educated by the State. So if the mandate comes, it comes from the courts, not from the Congress. The Congress simply took the initiative to make sure that they were in the mix of the effort to try to get these kids educated. That is how this all came about.

And so, Mr. Chairman, I beg my colleagues to consider this. That like my colleagues, I would love to see that 40 percent that we originally wrote into the bill reached. But we wrote that into a lot of other bills that we have never attained. Head Start, we promised full funding for I do not know how many years, and we have not reached that. But as the money would become available, we would do everything we could to make sure that the 40 percent was obtained.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to compliment the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] for a good bill. I think 99 percent of the bill is on a bipartisan issue, and I think they have done a great job in bringing the consensus, whether it is breast cancer, prostate cancer, medical research, and the rest of it. But sometimes the priorities of the committee are a little bit different, and this is where I disagree with the chairman and the ranking minority member and support the amendment. Let me tell my colleagues why.

Mr. Chairman, I was the subcommittee chairman on the Subcommittee on Early Childhood, Youth and Families on which many of my colleagues on the other side at whom I am looking served when we went through the IDEA bill. We have never funded IDEA, special education, higher than 7 percent.

Take a parent, a hopeful parent that is just first married and their whole future is ahead of them. Every single day a child is born with special education needs, disabilities, whether it is physical or mental. Now, that parent that had a bright future, whether they were a homecoming queen or scholar or whatever, is thrust into a nightmare with a special education child. They do not know where to go. They have no idea where to get the help.

That is balanced between the schools' excessive costs and a parent's need to help their child. We brought the Congress together in the subcommittee and then in the committee. The gentleman from Pennsylvania [Mr. GOODLING] on the authorization committee poured his heart into this bill. The gentleman from California [Mr. RIGGS] and others, and Members on both sides of the aisle, tried to come to an agreement. It was like trying to put a Persian cat and a Siamese cat together when we sat in the committee and brought the school groups and the parent groups together, because of the different concerns.

Finally, the gentleman from Pennsylvania [Mr. GOODLING] put both groups in a room, no food, no water, and asked them to come out with a solution, and they did. It was one that was acceptable and it was balanced, and yet it was underfunded and tensions on both sides were very great. But it is a critical issue.

But the bottom line is whether we want money to go to labor or we want money to go to special education children. Our priority, most of us, is to support the children. Some of my colleagues say, what about taking care of the parents that are going to raise these children? If my colleagues are really concerned about that, then the balanced budget was very important because it gives them 2 to 6 percent more money in their pocket, instead of having to send it to the Federal Government.

Welfare reform is more important, and many people opposed it. That is more important in taking care of those children. But the bottom line is that there is a difference between sending money to labor or sending money to children.

Let me give an idea. Secretary Reich was Labor Secretary, and in his last book, and I ask my colleagues to be the judge whether they want the money to go there or not, and I challenge them to read his book. I quote, Secretary Reich said, there should be no employee or employer that should earn more than \$200,000. A salary cap. That is socialism.

Second, he said there should be no business other than for the welfare of the employee, no business for profit. Now, that is Mao.

And I take a look at what labor has done versus small business. When we say, you are for the working person, unions only employ about 6 percent, but yet most of the legislation kills

small business from the labor unions. Look at the AFL-CIO; they are Federal employees. They want bigger government which causes higher taxes which takes more money away from these people. And even if they get a minimum wage, they cannot make a living with the higher costs.

So, Mr. Chairman, when we look at it, we are talking about money for labor or we are talking about money for children and special education, which has never been funded at higher than 7 percent. Now, the committee sat down and worked in both authorization and appropriations on a very balanced bill. But this is a case, I think, where we can set a priority and put our priorities with the children. As many of the others say: This is for the children. This is where they can put their money and where their ideas are and put it for the children.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from California.

Ms. PELOSI. Mr. Chairman, the gentleman from California [Mr. CUNNINGHAM] said that the choice is between money for the children and money for labor. Quite frankly, with all due respect to the gentleman, and he knows that I do respect him and consider him my friend and colleague from California, this debate here today is weird. Maybe my colleagues should all go to their offices and watch themselves on television.

The CHAIRMAN. The time of the gentleman from California [Mr. CUNNINGHAM] has expired.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is like a stream of consciousness. Whatever we think, we can attribute it to anything. It certainly is not a choice between children and labor. This is not about that. This is about my colleagues on the other side of the aisle taking a poll and finding out what everybody in America knows: That education is important to the American people.

Mr. Chairman, for most people in America, it is the opportunity for their children. And what is also important for their children is the economic security of their families. This \$4 million, or whatever the cut is, is a small amount of money, as the gentleman from Wisconsin [Mr. OBEY] said, in comparison to the needs that are there.

Let us put our hand in the pocket where the money is, if we really want to get down to helping children in our country. So that the people listening know what is going on here, the Republicans took a poll. They found out that the American people care about education. Welcome to the world of the living. Everybody knows that.

We have to establish our credentials around here. I have five children. I have grandchildren. I have two children, one daughter, and one son-in-law, who are special education teachers.

□ 1145

I know of what I speak here about the needs that are there. If you really want to help special ed teachers, what are you coming around for with this chump change, cheap shot \$4 million on a \$4.3 billion budget, taking the money out of what the American people want? And I am surprised your pollsters did not tell you that.

That is family and medical leave. They want it enforced. That is what this department protects, family and medical leave, overtime, minimum wage, slave labor, child labor, enforces the law against employers illegally employing immigrants which apparently is a big priority for all of you except when it comes time to pay for it.

Perhaps you were misled in our opening remarks yesterday when we praised the chairman of the committee for the bipartisan nature of the presentation of the bill and the cooperation with which we were able to come to this floor. Perhaps you were misled into thinking that because we complimented the chairman, it was the bill that each of us would have written on this side of the aisle. It most certainly is not. But it was a compliment to the chairman that he met the challenges before him and was able to reach some compromises.

It is certainly not a list of the priorities as I would write the bill, but I respect his priorities. He is the chairman, and he did the best he could with what the Committee on the Budget gave him and the immunity that is given to the defense budget.

So do not mistake our compliments to the chairman as saying this is the bill we would have written, because the priorities would have been quite different if we could have approached this from a saner standpoint, from the standpoint of the budget.

It is important, I think, for Members to know that this is a few million dollars, \$4 million on a budget of \$4.3 billion. There are 6 million children in special education, so we are going to give them under a dollar each, under this cheap-shot amendment, under a dollar each so that you can all go out there and say in Washington, DC, they do not think \$3 million is a lot of money. It is not compared to the need. But it is on the worker protection wage and hour line item that this money is coming out of.

So if you want to talk about children, certainly their education is a most critical issue. We must fund it appropriately and wisely, but not at the expense of the economic security of their parents and of their families. That is why you see an exploitation of this Labor-HHS bill.

Last night we had an amendment on homeless vets and all night we spoke about education. It was not germane to the issue at hand. It was germane to the politics of the Republican majority trying to pose as the champions of education. So I lose patience after the committee has worked so hard under

the leadership of our chairman to produce a bipartisan product that we can associate ourselves with, but as I say, it would not be the bill that I would have written, but one that I am proud to support the chairman's leadership under the circumstances.

Mr. MCINTOSH. Mr. Chairman, will the gentleman yield?

Ms. PELOSI. Mr. Chairman, the gentleman from Indiana [Mr. MCINTOSH] has had enough time. If he wants more, he can get it from his own side of the aisle.

As you can see, I have lost patience with this exploitation of our bill. If you want to help the children of America, let us move this bill along, remove all doubt that we can engage in a civil debate with each other. Establish priorities. Make the compromises. Come forward with a bipartisan package that will be signed by the President and get on with the business of the House instead of this political exploitation of a bill that is very, very important to the future of our country.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I first do want to react to two things the gentleman just said. She always makes me feel so good when I see her because she is always so elegant. However, it was the President's poll, I think, that the gentleman was referring to, before he gave his State of the Union Address in relationship to education.

And, second, I do not pose as a friend of education. I think I am known as a friend of education.

But I take this time simply because I want to pay tribute to the chairman of the subcommittee and to the ranking member for their efforts in the area of IDEA. Again, if you were to ask anybody in the disability community who has been fighting for them for 20 years and not getting very much, I must admit, I am sure they would refer to me.

However, in the last 2 years that has changed. For 20 years, I asked the majority at that time to put the money where they put the mandates. The mandates came from the Federal level, and therefore, the 40 percent that we promised should have come from the Federal level also. I have mentioned many times, it is the greatest expense that the local school district has and they do not have any control over it.

We changed a lot of that by forcing all of those groups into a room and making them come up with some decent legislation. I realize that in that legislation, if we get another \$1.2 billion, we can give some of that relief to the local school districts. I did not expect to get that overnight. I did not get anything for 20 years. Even combining with the gentleman from Michigan [Mr. KILDEE] in a bipartisan fashion on the Committee on the Budget, we got nowhere.

But in the last 2 years we have made great strides. We got \$784 million last

year. We got \$240 million this year. Then I asked them for more and we got \$25 million more.

We also got the promise that they will go to the Senate's figure, if there is any way possible, which is \$834 million. That is getting us very, very close to the \$1.2 billion, and if they continue the leadership that they have shown thus far, there is no question in my mind that in another year we will pass that \$1.2 billion and we will give that relief to local districts.

But I do want to make sure that everyone appreciates what this chairman of the subcommittee and this ranking member of the subcommittee have done in relationship to IDEA.

Mr. MCINTOSH. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, we have gotten into a debate about weirdness and stream of consciousness. Let me interject one fact that I think is important from the report of the gentleman from Illinois [Mr. PORTER]; that is, we are talking about \$4.3 million. It has been stated that is not a lot for IDEA, but it is something in the right direction.

It has also been stated that it would gut the wage and labor enforcement program. But the fact is the report indicates that last year's funding was \$117 million. It is being increased, if I read this correctly; the chairman can correct me if I am misreading the report, but it is being increased to \$121 million for that line item; \$117 million is plenty of dollars to enforce the labor standard laws that that department is in charge of. I think we should keep that fact in mind as we continue this debate.

I thank the gentleman from Pennsylvania for his efforts on IDEA and for yielding to me.

Ms. DELAURO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me just pick up, if I can, where my colleague, the gentleman from California [Ms. PELOSI] left off. In terms of what this debate is actually all about and the reading of the poll data and the communications experts, front page of the Washington Post or the New York Times in the last couple of days talked about Mr. Frank Luntz, Republican consultant, who talked about communicating to the Republicans on how they should approach issues and what they ought to be saying.

Sentences that work particularly well: All children deserve a chance at a quality education; your communications, direct quote, must always focus explicitly on one word, children.

It is a veil, a thinly disguised veil to talk about what you want to do for children instead of what you really want to do to workers in this country.

What you did not read in your poll data is that when Americans talk about cutting waste and bureaucracy,

they do not mean eliminating vital protections like the Federal minimum wage and enforcing that minimum wage and enforcing family and medical leave. The Wage and Hour Division's mission is to make sure that we pass laws that regard and take into consideration basic worker pay and protections and that they are respected and carried out.

Mr. Chairman, my mother is a seamstress. My mother worked in a sweatshop. She worked at earning pennies, 2 cents a collar. I went to that sweatshop when I was a kid. I watched what she did. She and other women with their backs bent over sewing machines, pumping dresses out as fast as they could so that in fact they could take care of their families. My mother and those women and those people who work there were exploited and so many others were exploited.

I will tell my colleagues that today we have hard-working people out there. They are attempting to stay off of welfare, to earn a decent wage. They want to raise their kids to be productive and they want them to be contributing members of society.

At a time when we have given tax breaks to the richest corporations in this country and at a time, in fact, when we have done some good about giving a tax break to parents to help them be able to keep more of their paycheck in their pockets, what we should not be doing here today is undermining their ability to earn that fair paycheck in the first place.

I support IDEA. Other Members here do that. What you are doing here today is talking about essentially an increase of about 72 cents, 72 cents, less than a dollar. Who are we kidding? Do not think we are going to kid the American people. We are not kidding anybody over here on this side of the aisle.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Ms. DELAURO. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would just like to make the point that, far from benefiting Washington bureaucrats, the Wage and Hour Division, through the enforcement of our labor laws, last year was able to put an additional \$132 million in money into the pockets of workers who had earned that money but were denied it by exploitation.

That is the purpose of this account. This account leverages far more money into the pockets of workers than it costs us in the first place, and that is why it should not be diminished one dime.

Ms. DELAURO. Mr. Chairman, the agenda is clear. It is antiworker. If you were concerned about children and their families, you truly would be working to increase funds to pay for research that will cure these youngsters, to help with the schools that will educate them, to deal with job training and help them to get jobs and to be productive citizens. Yet you will cut that off.

In the wage and hour, they look at Davis-Bacon. You are always complaining about Davis-Bacon and how unfair it is. What this division does is look at Davis-Bacon. It says where wages are fair and where they are not biased, but what you want to do is you want to talk out of one side of your mouth about cutting back on Davis-Bacon and yet you want to cut out the money from the Wage and Hour Division that looks at that that will make it fair. This is a direct assault on American working families. It is nothing less than that. Truly, you should be ashamed of coming to the floor with this kind of an effort. These are false choices that you are asking people to make. It is wrong to do that. We need to be protecting American working families and their children.

Mr. HOSTETTLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, for the sake of a civil debate, as was earlier mentioned, even I will try to keep the tone civil and try not to come to this debate from such a limited vocabulary that refers to it as "weird." But I would simply say that we did not take a poll on this side because we do not need to.

Long before America heard about Frank Luntz, they heard about Dick Morris and they had to hear about Dick Morris because someone talking to the President about education, that person had to take a poll about education because that person sent his child to private school.

If you want to know about the course of education in America, you need to come to people that send their children to public school, such as I do, and so I do not need to take a poll to hear what is happening in education today. What is happening in education today is the Federal Government is expanding its influence in education.

I was not going to talk about this amendment specifically, but when the issue of education and speaking out of one side of our mouths, I think that they are looking at the wrong institution. They should look at the White House when they talk about speaking out of one side of their mouths because they do not know the ills personally of the public school, public education system, and the problems that have been created by a tremendous Federal bureaucracy that was created in 1980, almost 200 years after the Founders created this country by the U.S. Constitution.

□ 1200

If we want to help the children of this country, let us put it in the hands of the people that really care about the children. Last night we heard in this debate that a program in this bill called whole school reform was created as the result of the research of a group of businessmen. Businessmen. I was glad that I heard the debate because I learned more about whole school reform last night than I knew before that time.

But here today we are talking about we cannot hand over the issue of wage and hour compliance to what was earlier referred to as "loathsome employers." Are these the same loathsome employers that we are asking to create education policy in our country? Are these the same sweatshop owners that we are entrusting the future of our children's education to? Maybe you had different people at your sweatshop hearings than you did at your businessmen to create education policy hearings. I do not know. I am not a member of that committee, but you can understand that.

Last night we heard that there were problems with title I, from that side. We heard that there were problems with title I and that bureaucrats were not actually engaged in the actual creation of educational progress in our country and that they had problems with Goals 2000. So what is the solution? We bring businessmen into Congress and ask them how to educate our children. And then to evaluate the process, we ask bureaucrats to evaluate it as a creation of whole school reform.

There is one entity that is taken out of the picture here. We did not ask the parents how to educate our children. We asked businessmen, or loathsome employers or sweat shop owners, or however you want to refer to them today, depending on the day of the month or the debate that we are talking about. But the fact is that we did not bring parents in. When it comes time for us to evaluate the progress of our children, we are not going to ask parents either.

What are we going to do? One Member said last night, "We're going to bring them in for coffee." Well, that is nice if they are coffee drinkers. But if they are parents concerned about education, why do we not ask the parents to evaluate the educational progress of our children? Is that unreasonable? If I gave my colleagues a list of 10 people on that side of the aisle or this side of the aisle, Members of Congress, Senators, the President, even teachers or administrators, and I placed in there the term "parent" and asked you who is most interested in the educational progress of our children, I think everyone in this Chamber would say it is parents. But who have we not asked to develop educational policy in this country? Parents. Who have we not asked to evaluate the progress of our children in this country? Parents, as a result of this bill.

There is a fundamental difference in America today and that difference is inside the Beltway and everywhere else in this country. There is a fundamental difference in how and why and to what extent our children should be educated and on what basis we should create that. If you want to do the right thing for children, help the children of this country, as I heard one individual so eloquently put it, and you want an agenda that is clear, then I say, let us

ask the parents how to educate our children. Let us give them the flexibility.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. HOSTETTLER] has expired.

(By unanimous consent, Mr. Hostettler was allowed to proceed for 1 additional minute.)

Mr. HOSTETTLER. Mr. Chairman, I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, just to finalize this, the contrast here is not to hurt people who are working. The contrast here is to fund a program that we have mandated to the States to allow local people to decide what they are doing, to take and force efficiency on bureaucracies and move money from Washington to the local school districts. That is what this debate is about. There is not any ill intention on anyone's side. It is saying let us do the right thing. Let us move direction from Washington to the local community, from bureaucrats to local school districts and parents. That is what this debate is all about.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. MCINTOSH].

The question was taken; and the Chairman announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. MCINTOSH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 260, not voting 6, as follows:

[Roll No. 367]

#### AYES—167

Aderholt	Deal	Johnson, Sam
Archer	DeLay	Jones
Armey	Dickey	Kasich
Bachus	Doolittle	Kingston
Baker	Dreier	Klug
Barr	Duncan	Kolbe
Bartlett	Dunn	Largent
Barton	Ehlers	Latham
Bass	Ehrlich	Lewis (KY)
Bilbray	Emerson	Linder
Bilirakis	Ensign	Lucas
Bliley	Everett	Manzullo
Blunt	Fowler	McCollum
Boehner	Galleghy	McCrery
Bonilla	Gibbons	McInnis
Bono	Gilchrist	McIntosh
Brady	Gillmor	McKeon
Bryant	Goode	Mica
Bunning	Goodlatte	Moran (KS)
Burr	Goss	Myrick
Burton	Graham	Neumann
Buyer	Granger	Ney
Callahan	Gutknecht	Northup
Calvert	Hall (TX)	Norwood
Camp	Hansen	Nussle
Canady	Hastert	Oxley
Cannon	Hastings (WA)	Packard
Chabot	Hayworth	Parker
Chambliss	Hefley	Paul
Chenoweth	Herger	Paxon
Christensen	Hill	Pease
Coble	Hilleary	Peterson (PA)
Coburn	Hobson	Pickering
Collins	Hoekstra	Pitts
Combest	Horn	Pombo
Cook	Hostettler	Portman
Cooksey	Hulshof	Radanovich
Cox	Hunter	Ramstad
Crane	Hutchinson	Redmond
Crapo	Inglis	Regula
Cubin	Istook	Riggs
Cunningham	Jenkins	Riley

Rogan  
Rogers  
Rohrabacher  
Royce  
Ryun  
Salmon  
Sanford  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Sensenbrenner  
Sessions  
Shadegg  
Shimkus

Shuster  
Smith (MI)  
Smith (OR)  
Smith (TX)  
Snowbarger  
Solomon  
Souder  
Spence  
Stearns  
Stump  
Sununu  
Talent  
Tauzin  
Taylor (MS)

Taylor (NC)  
Thornberry  
Thune  
Tiahrt  
Upton  
Wamp  
Watkins  
Watts (OK)  
Weldon (FL)  
Weller  
White  
Wicker  
Young (AK)

#### NOES—260

Abercrombie  
Ackerman  
Allen  
Andrews  
Baesler  
Baldacci  
Barcia  
Barrett (NE)  
Barrett (WI)  
Bateman  
Becerra  
Bentsen  
Bereuter  
Berman  
Berry  
Bishop  
Blagojevich  
Blumenauer  
Boehlert  
Bonior  
Borski  
Boswell  
Boyd  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Campbell  
Capps  
Cardin  
Carson  
Castle  
Clay  
Clayton  
Clement  
Clyburn  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cummings  
Danner  
Davis (FL)  
Davis (IL)  
Davis (VA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dellums  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Edwards  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Ewing  
Farr  
Fattah  
Fawell  
Fazio  
Filner  
Flake  
Foglietta  
Foley  
Forbes  
Ford  
Fox  
Frank (MA)  
Franks (NJ)  
Frelinghuysen  
Frost  
Furse  
Ganske  
Gejdenson

Gekas  
Gephardt  
Gilman  
Goodling  
Gordon  
Green  
Greenwood  
Gutierrez  
Hall (OH)  
Hamilton  
Harman  
Hastings (FL)  
Hefner  
Hilliard  
Hinchey  
Hinojosa  
Holden  
Hooley  
Houghton  
Hoyer  
Hyde  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson (CT)  
Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kim  
Kind (WI)  
King (NY)  
Klecza  
Klink  
Knollenberg  
Kucinich  
LaFalce  
LaHood  
Lampson  
Lantos  
LaTourette  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
Livingston  
LoBiondo  
Lofgren  
Lowey  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McDade  
McDermott  
McGovern  
McHale  
McHugh  
McIntyre  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Metcalf  
Millender-  
McDonald

Miller (CA)  
Miller (FL)  
Minge  
Mink  
Moakley  
Mollohan  
Moran (VA)  
Morella  
Murtha  
Nadler  
Neal  
Nethercutt  
Oberstar  
Obey  
Olver  
Ortiz  
Owens  
Pallone  
Pappas  
Pascarell  
Pastor  
Payne  
Pelosi  
Peterson (MN)  
Petri  
Pickett  
Pomeroy  
Porter  
Poshard  
Price (NC)  
Quinn  
Rahall  
Rangel  
Reyes  
Rivers  
Rodriguez  
Roemer  
Ros-Lehtinen  
Rothman  
Roukema  
Roybal-Allard  
Rush  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Saxton  
Schumer  
Scott  
Serrano  
Shaw  
Shays  
Sherman  
Siskis  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (NJ)  
Smith, Adam  
Smith, Linda  
Snyder  
Spratt  
Stabenow  
Stark  
Stokes  
Strickland  
Stupak  
Tanner  
Tauscher  
Thomas  
Thompson  
Thurman  
Tierney  
Torres  
Towns  
Traficant  
Turner  
Velazquez  
Vento  
Visclosky  
Walsh



Waters	Weygand	Wynn
Watt (NC)	Whitfield	Yates
Waxman	Wise	Young (FL)
Weldon (PA)	Wolf	
Wexler	Woolsey	

## NOT VOTING—6

Ballenger	Gonzalez	Schiff
Boucher	Pryce (OH)	Stenholm

□ 1231

Mrs. LINDA SMITH of Washington and Mr. FOX of Pennsylvania changed their vote from "aye" to "no."

Messrs. BILIRAKIS, WHITE, HUTCHINSON, and DICKEY changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. GEKAS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my purpose in moving to strike the last word is to engage the distinguished gentleman from Illinois [Mr. PORTER] in a colloquy on an important portion of the overall bill of which he is the prime mover, and I would ask his indulgence to stand with me for this colloquy.

Mr. Chairman, I want to thank the gentleman from Illinois [Mr. PORTER] for his assistance to disabled Medicare claimants in Pennsylvania and in other States that I brought to his attention last year regarding their difficulties with filing deadlines to have their claims paid.

These Medicare claims involve situations where an individual has been employed, for example, at Bethlehem Steel, and becomes totally disabled and is no longer able to work. They are fortunate to have employer health care plans as well as Medicare to cover their health care expenses.

However, there has been a problem with changing their claim status with Medicare contractors once they become permanently disabled and Medicare happens to be the primary payer. If the request for status change takes longer than 1 year, Medicare will not pay the claim due to the 1 year timely filing deadline. The employer and the disabled employee have requested the change in the timely manner, and through no fault of their own, the Medicare contractor has not processed the request within a year of the date of service.

Status change requests take between 4 to 6 months to process by Medicare contractors. This delay results in the inability of the employer and the disabled employee to meet timely filing deadlines.

Medicare contractors will not accept claims for services until the status change has been completed. As a result, the disabled claimant is unable to get the claim for medical services paid due to inaction beyond their control.

Additional delays of 3 to 6 months in processing Part B Medicare physician services through Social Security also results in employers and disabled employees not meeting the timely filing requirements.

Last year, to address this problem, Mr. Chairman, the gentleman from Illi-

nois [Mr. PORTER] provided fiscal year 1997 appropriations report language that "encouraged the Health Care Financing Administration, HCFA, to consider these claims as timely filed," where the request for a change in status was made.

Unfortunately, this request to the HCFA has not been communicated by HCFA to the Medicare contractors.

Mr. Chairman, I would ask the gentleman from Illinois [Mr. PORTER], would he request HCFA to communicate to Medicare contractors that they are encouraged to consider these claims as timely filed? I think this might solve the problem.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. GEKAS. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I want to thank the gentleman from Pennsylvania for bringing this failure in communication by HCFA to my attention, which impacts the permanently disabled who are no longer able to work and are seeking Medicare coverage for their medical claims. I fully intended that Medicare contractors be aware of our requests, and thought that they would have been issued a directive last year about our intention.

I will request HCFA to pass along this request to the Medicare contractors who process the change in status for the formerly employed disabled and will consider these claims as timely filed. It is our intention that any Medicare claim filed within a year after making a change in status or Medicare part B enrollment would be considered timely.

I encourage HCFA to issue directives to Medicare contractors to make these status changes effective efficiently within 30 to 60 days of the request, giving the contractors such time to verify the correct Medicare status. Disabled Medicare claimants should not have to wait 6 months for Medicare contractors to act on a request for status change.

Mr. GEKAS. Mr. Chairman, reclaiming my time, I would ask the chairman to follow through with that, and I know he will. We thank the chairman for his help in this matter.

I hope the directives issued by HCFA to Medicare contractors will solve the problems we have heard about from our constituents.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to note in response to the latest colloquy that there is a very serious backlog problem at the Social Security Administration, as well, and I would like to simply inform the House, if they are not aware of it, that the budget agreement which the Congress passed and the President agreed to has a very unfortunate side effect with respect to the extensions of delay in response to requests for Social Security Administration determinations. It is going to grow substantially.

One of the assumptions in that budget is that the Social Security Adminis-

tration costs will be cut by one-quarter over the next 5 years. There is already about a 3-month delay in responding to claims requests in Social Security. That is expected to grow to about 9 months to a year under the budget agreement that was reached.

So I recognize the legitimacy of the gentleman's concern about this backlog. I want Members to know with the budget deal that Congress signed on to, we can expect to see a very serious backlog also grow in the Social Security area, and I do not think any of us are going to be very happy with that.

AMENDMENT NO. 21 OFFERED BY MR. RIGGS.

Mr. RIGGS. Mr. Chairman, pursuant to the rule, I offered amendment No. 21 printed in the RECORD.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. RIGGS:

Page 19, line 19, after the dollar amount, insert the following: "(reduced by \$9,800,000)".

Page 44, line 5, after the dollar amount, insert the following: "(increased by \$19,600,000)".

Page 44, line 16, after the dollar amount, insert the following: "(reduced by \$9,800,000)".

Mr. RIGGS. Mr. Chairman, I want to indicate to my colleagues that it is unlikely as we progress with the debate on my amendment that I will insist on a vote, and in fact, I would like to alert the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] of my hope and intention to engage in a colloquy with those gentlemen.

First, let me explain the purpose of my amendment. My amendment is very simple and straightforward. It would restore the \$19.6 million cut from the Older Americans Act program.

I understand why the appropriators have decided to make a reduction in Older Americans Act program funding. I understand, of course, that the Older Americans Act has not been reauthorized for several years now, and it is my intention on my watch as the chairman of the Subcommittee on Early Childhood, Youth and Families, with jurisdiction over the Older Americans Act, that we will reauthorize that very important legislation in this Congress.

Mr. Chairman, under my amendment, I propose to reduce overhead accounts at the Departments of Labor and Health and Human Services in order to again restore this \$19.6 million in funding for the Older Americans Act, so the programs can be funded for at least the current fiscal year level.

I would like to go ahead now and move to my colloquy before time expires, but would simply point out that the senior population is growing in America, and so is the need for the types of senior services provided under the Older Americans Act.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from

Wisconsin [Mr. OBEY], the distinguished ranking member of the subcommittee, and hopefully, the gentleman from Illinois [Mr. PORTER], the chairman of the subcommittee.

As I have already expressed, I am deeply concerned that the bill before us today funds some programs for older Americans below their current levels, despite an increased need for the services. We have already heard anecdotal evidence to that effect in the early hearings we have been having in our subcommittee on reauthorization of the Older Americans Act.

As the gentlemen know, the other body has included, I am told anyway, an increase of over \$56 million for Older Americans Act programs in their version of the Labor, Health and Human Services and Education spending bill for fiscal year 1998; and I understand yesterday an amendment was accepted in the other body to further increase the funding by an additional \$40 million.

I would like to yield to the ranking member of the full Appropriations Committee, as well as the subcommittee, to ask whether it is his intention to attempt to reach higher funding levels for Older Americans Act programs when he goes to conference with the other body.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman for the question. Let me simply say that every year I have been on the subcommittee I have attempted to raise funding levels for these programs.

The Senate has a higher allocation overall for the bill, so they are able to provide more funding than our House committee is. I certainly in conference expect to try to move very close to the Senate position and increase this account significantly.

I agree with the concerns expressed by the gentleman, and that is why I would ask the gentleman to withdraw his amendment so that we can, in fact, work in conference to achieve the end that the amendment has expressed.

Mr. RIGGS. Mr. Chairman, reclaiming my time, I thank the gentleman for his assurances. I understand that the allocation provided to the subcommittee, as I have already indicated in debate on the previous amendment, has required making some tough choices in the bill, but I do hope that the subcommittee's allocation might increase during conference with the other body.

I would also like to yield to the gentleman from Illinois [Mr. PORTER] to ask whether it is his intention also to strive for a higher funding level for the Older Americans Act programs during conference on this bill with the other body.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I would intend, as does the gentleman from Wisconsin [Mr. OBEY], to do everything we can to provide a higher funding level for the Older Americans Act programs in the conference.

As the gentleman said, the Senate has been armed in their budget allocation with a significantly higher amount of funds to work with, and we will not know until we get to conference what the level is for both Houses. But within those numbers, we will do our very best to fund these important programs.

□ 1245

Mr. RIGGS. Mr. Chairman, I appreciate the gentleman's sincere intentions, and with the assurances of the chairman and the ranking member, Mr. Chairman, I believe my amendment is no longer necessary, and I ask unanimous consent to withdraw my amendment.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, if the chairman and the ranking member would allow, if I can enter into a colloquy with the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Illinois [Mr. PORTER], most of us support the initiative and what the gentlemen are doing, the ranking member and the chairman.

I would ask the chairman, the last term, in the 104th Congress, the GAO report came out.

The CHAIRMAN. The time of the gentleman from California [Mr. RIGGS] has expired.

(On request of Mr. CUNNINGHAM, and by unanimous consent, Mr. RIGGS was allowed to proceed for 1 additional minute.)

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from California.

Mr. CUNNINGHAM. There were excessive administrative costs in all areas under the administration here in Washington by the Older Americans group, of the 10 different groups. When we ask for funds, I would just like to make sure that the ranking minority member and the chairman would look into making sure that the fraud, waste, and abuse that is present in the Older Americans Act is eliminated, and they will do everything they can to reduce that so we can actually get more money to them.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me simply say to the gentleman, as the gentleman knows, the Congress does not administer the laws, we only pass them. It is the responsibility of the Executive Branch of government to administer them in such a way that we have minimum leakage.

I am certain the gentleman from Illinois [Mr. PORTER] and I will both pursue every reasonable avenue in order to minimize that leakage, because we certainly want to see moneys expended to deliver services to people, and not to go out the window for no good purpose.

Mr. CUNNINGHAM. I agree. We can put leverage on those that do abuse it.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. RIGGS] to withdraw his amendment?

There was no objection.

The CHAIRMAN. The amendment of the gentleman from California [Mr. RIGGS] is withdrawn.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to express my concern about the funding levels for the Older Americans Act, as well, in this bill. I was unsuccessful in obtaining the needed increases in committee, and I know we worked very hard with the chairman and the ranking minority member to do so, but I know these programs do enjoy support in our committee.

The Senate bill as reported out of committee provided \$42 million more than the House did, and I look forward to working with the chairman and ranking member, the gentleman from Wisconsin [Mr. OBEY] to move toward the Senate levels as we go to these vital programs which provide meals and other services to seniors to enable them to remain independent in their own homes.

These programs have not had a noticeable increase for quite some time and are feeling squeezed. Our senior centers just do not and cannot meet the demand for services. I visit many of these senior centers, as I know my colleagues do, and we see the really outstanding work they do, and the need for these services in our communities.

These seniors have a lifeline in these centers. They provide nutritious meals, they provide a place where they can congregate. I know that, working together, we can do better for our seniors, and I look forward to working with the chairman and the ranking minority member in the conference to do so. I thank the chairman for his cooperation.

AMENDMENT OFFERED BY MR. BLUNT

Mr. BLUNT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLUNT:

Page 17, line 6, after the first dollar amount, insert the following: "(reduced by \$11,250,000)"

Page 69, line 26, after each dollar amount, insert the following: "(increased by \$11,250,000)."

Level-funds OSHA; transfers increase to Vocational and Adult education.

Mr. OBEY. Mr. Chairman, I reserve a point of order against the amendment.

Mr. BLUNT. Mr. Chairman, this amendment, as has been read, transfers the increase in OSHA to vocational and adult education. In the last debate I believe I heard the gentlewoman from

Connecticut [Ms. DELAURO] suggest that we need to challenge the House to spend more money on training. This amendment meets that challenge, and may be more timely even because of that challenge, that we spend more of our money on training.

I think increasing spending in OSHA, as opposed to increasing spending in vocational and adult education, really just does not make sense to me, so this amendment is to transfer that increase. OSHA would be frozen. OSHA is being studied. There are field hearings on OSHA. There is nobody who is a member of this body who does not believe that OSHA needs to be significantly restructured in the way it does its job.

At the same time, vocational and adult education have been incredibly successful programs that are actually funded below the 1997 levels. In a bill that funds programs that are not even authorized, vocational education and adult education are funded below last year's levels. I find that unacceptable.

In fact, as we match these two things together, the best place to ensure workplace safety is in training. The best place to prevent accidents is before they happen. The best place to have workers prepare to be safe workers is not on the job, but before they get on the job, and vocational education has a track record of doing that effectively.

This transfer would make sense from the training point of view. It freezes OSHA at the 1997 level. With this transfer we actually fund vocational education and adult education above the 1997 level. I urge its passage. I think when we look at the number of people that work in OSHA, the average business that is affected by OSHA really can anticipate a visit maybe as infrequently as once every 10 years. That does not ensure workplace safety.

Well-trained workers do ensure workplace safety. Vocational education money and adult education money get people to work who have not been to work before. They increase the skills of those people who have not been to work before.

On the other hand, OSHA often encourages people not to create jobs, and there are examples probably in every district represented in this House where people keep their employee numbers below 50 just so they will not have to deal with OSHA. When the OSHA inspector comes, it depends on which part of the OSHA code that inspector is familiar with on how the inspection goes that day. Training, Mr. Chairman, is the key to the workplace. It is the key to workplace safety.

Leaving these two programs at levels below 1997 funding in this bill while we increase OSHA funding I think is unacceptable, so this amendment would rectify that situation. I urge its passage, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. OBEY] insist on his point of order?

Mr. OBEY. Mr. Chairman, I withdraw my reservation of a point of order, and rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, this is another example of an amendment being offered which attacks the ability of the U.S. Government to protect workers in the workplace.

Mr. Chairman, Members of Congress do not serve in very hazardous jobs. We may get an occasional threat against our lives, as a number of us have done, unfortunately, but by and large we do not serve in very hazardous duty. But I would point out last year, or just 3 years ago, some nearly 7 million workers were injured in 1 year on the job, and some 6,300 workers died on the job. A number of workers died in my district just last month. I have had four incidences in the last year of workers dying in my district on the job.

Mr. Chairman, I would point out that the gentleman is adding funding to an account to train workers, but the net effect of his amendment would be to reduce the safety of the workplace in which those workers are employed. Mr. Chairman, I would like to point out that in the gentleman's own State, there were 155 workplace fatalities last year. I would like to point out that in the gentleman's own State, there are so many inspectors for OSHA that the average employer would be inspected once every 235 years. That is hardly overload, in terms of inspections. There are only 25 OSHA inspectors in the gentleman's own State to cover that entire State. There were 178,000 illnesses, workplace-related illnesses and injuries, reported in the gentleman's own State last year.

Mr. Chairman, I do not think that those numbers indicate the wisdom of reducing the committee recommendation about the amount of money necessary to protect the health and safety of workers. I take this issue very personally. I used to work with asbestos. My father ran a floor covering business and a home improvement business. I worked with asbestos for 11 years, off and on, until I found out what Johns Manville Corp. had known since 1939 that asbestos caused cancer.

I also at that time smoked three packs of cigarettes a day. I did not know about the synergistic effect of asbestos and tobacco in terms of geometrically increasing your chances of getting lung cancer. I certainly do now. I did not know that 40 percent of the British shipyard workers who had worked with asbestos had died of mesothelioma as a result. I certainly know that now.

The Government had an obligation to protect workers like me from hazards like that. They did not. That is why my colleague from Wisconsin, a good Republican by the name of Bill Steiger, who unfortunately died at a very early age from diabetes, that is why Bill Steiger led the fight to create OSHA,

so we would have an agency of the Federal Government that would enforce the laws, so workers knew when they got up to go to work every morning and work 8 or 10 hours, whatever they worked, they would at least be guaranteed government protection, and seen to it that they performed their duties in a safe and hazard-free workplace.

Mr. Chairman, I would point out that the OSHA budget that we provided here has a 1-percent increase, which is a pittance compared to the need in enforcing workplace health and safety. The only exception to that is the 12-percent increase that we have for compliance assistance.

With Sylvio Conte, I started the first OSHA efforts to see to it that OSHA could go into a plant voluntarily, on the basis of a request from an employer, and review what they were doing and make suggestions about how they could improve their situation without subjecting the employer to a fine.

We feel that that increase is necessary.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, we think it is important that those employers be able to provide or that OSHA be able to provide that additional assistance to employers, so that employers who want to can voluntarily figure out what they can do to make their workplace more safe.

It just seems to me that anyone in this House would like to put more money in the program that the gentleman is talking about, but I doubt that a majority in this House on either side of the aisle would want to take the money from the area the gentleman wants to take it from.

The bottom line, if we are going to train workers, they have the right to know that they are going to be working in a workplace which is safe and healthy. OSHA is the agency charged with that responsibility. They have some wonderful programs which we have utilized to increase safety many times over in the logging industry, a cooperative relationship which they worked out, for instance, so loggers who are engaged in one of the most hazardous occupations in the country can do so a bit more safely.

We should not be cutting back this appropriation from the committee recommendation one dime. This is a gut, basic requirement that we have to workers in this country. We ought not to walk away from it to any degree whatsoever.

□ 1300

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to first put the numbers in a little perspective. The increase in the OSHA account overall for

the next fiscal year in the version of the bill that is on the floor is 3.5 percent. That is \$11.6 million below the President's budget request. When the cost increases and Federal pay raises are factored in, the amount provided is actually a reduction from last year's figure in terms of actual buying power.

The Federal compliance assistance activities are increased by the subcommittee and full committee by 22 percent, while enforcement activities as the gentleman from Wisconsin [Mr. OBEY] described them, including the cost of paying for OSHA inspectors, would be only 1 percent above fiscal year 1997. Compliance assistance activities involve the activities of OSHA working with employers in a cooperative way and not in a way of providing inspections and the heavy hand of Federal regulation on them.

Mr. Chairman, I believe that this amendment, if offered some years ago, would have been very relevant. I have watched OSHA the entire 16 years I have been on the subcommittee, but most particularly since President Clinton became President. I believe that OSHA is in the process of truly transforming itself.

The President brought in a new director named Joe Dear when he took office in 1993, and Joe Dear came in with the philosophy that OSHA could get a lot more done if they worked with employers, rather than worked against them.

While it takes a long time for any agency, whether it is in the Federal Government or in the private sector, to change the thinking on-the-ground. I believe that the thinking has definitely changed in the leadership in OSHA during the Dear administration, and that we are a long way toward having a very different OSHA today than we had 5 years ago.

Mr. Chairman, while normally if I felt the same way about OSHA that I did 5 years ago, I would support this amendment and in our mark I would have cut OSHA very severely. I think that cutting the money we provide would send exactly the wrong message to a new OSHA that is attempting to do things in the way we want.

Mr. Chairman, under those circumstances this amendment is simply a mistake. What we want to do is encourage OSHA to do better. I think that we have not given them a large increase. We are below the President's request. That sends our message in the way we want to send it. If we cut below that, I am afraid we are going to discourage the very things that we are trying to encourage. Mr. Chairman, I would oppose the amendment.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is no bigger champion of education and training in this House than I am: Training for our high school students so they leave high school ready and trained for a job that pays a livable wage, and training for

our workers so they can stay in step with changes so they will be ready for the 21st century and do not lose their jobs because they are not trained adequately.

When I first came to the Congress, I requested to serve on the Committee on Economic and Educational Opportunities because I believed that is the most important committee in the House of Representatives. I have been a member of that committee for 5 years now. I work long and I work hard to make sure that all American students get a world-class education and that all students get the training they need for their future and that all workers are trained for the jobs of the future also.

Our students need world-class training and education. They need that so they can get high-skill, high-wage jobs, and they need that to ensure that America remains competitive in the global marketplace. Because, of course, a vast majority of American students become American workers. When they are workers, they also require additional training.

But to that end, Mr. Chairman, it makes absolutely no sense to pit education funds against funds that will keep our American workers safe. Funding for important protections for American workers must stay intact. Funding for OSHA is particularly important. Funding for labor is important in general.

Mr. Chairman, we cannot leave American workers less safe. OSHA cuts, and by just adding 1 percent it is a cut, would mean more workplace accidents and injuries. Labor cuts will mean more American workers will become vulnerable to workplace discrimination and to the loss of important workplace protections. They need protections, not only for their own physical safety, their emotional safety, their mental safety, they also need the 40-hour work week.

Mr. Chairman, much of today's rhetoric will place American workers at risk and that is just to make political points. That is what this debate is really about this morning. It is about pitting one deserving group of Americans against other groups of Americans for political gain.

What my colleagues are offering in this amendment is not about the real world, because in the real world one group is not separate from another. American workers are not separate from American students and Americans that need training. American workers are students. American workers are requiring training, but many of them also expect and insist and need and depend upon OSHA for the protections they need to keep them safe on the job.

They need labor protections also, so that they can earn a fair and livable wage and that they can go home every day and their children will know they will come home safe. They will know that they are protected because OSHA has been there for them.

Americans will not fall for this obvious political cynicism, Mr. Chairman, and neither should my colleagues. We cannot vote to cut OSHA, because OSHA is important to the safety of our workers. It is important to those who we train as workers. It is important to the students of this country who are going to become workers. OSHA is the backbone for keeping American workers safe.

Mr. OBEY. Mr. Chairman, will the gentlewoman yield?

Ms. WOOLSEY. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply like to point out, we have heard a lot about Hudson Foods lately, and the E. coli contamination which caused a number of deaths around the country. I should point out that OSHA is one of the agencies that has determined just how far from an acceptable norm that plant has been operating. OSHA reviewed that firm's activities and cited them for 34 different violations, including a number of sanitary condition violations.

Mr. Chairman, it is no wonder that the American public's health is being endangered when corporations like this are able to produce without having adequate resources that will enable the agencies that are charged with the responsibilities for public health and safety to do their jobs adequately.

The CHAIRMAN (Mr. GOODLATTE). The time of the gentlewoman from California [Ms. WOOLSEY] has expired.

(On request of Mr. OBEY, and by unanimous consent, Ms. WOOLSEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, if the gentlewoman will continue to yield, it just seems to me that there are so many examples where OSHA has not been able to reach where they needed to in time to protect workers' health and safety and for that matter the public health and safety. I think this amendment ought to be recognized as perhaps well intentioned, but ill advised.

Mr. NORWOOD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this amendment for, I think, some very clear reasons. I would remind or inform the gentleman from Wisconsin [Mr. OBEY] that OSHA is in charge of health and safety in the workplace and perhaps they ought to do a little better inspection of their own people, since they had to close down the OSHA facilities in West Virginia to Legionnaires disease. I think they may want to take care of their own offices first.

Second, I would remind the gentleman from Wisconsin that I suppose being in Congress is not hazardous duty, but I can assure the gentleman that if OSHA were to come to this Capitol, come to Cannon, Longworth, or Rayburn and do the same inspection that they do in the private industry, we will be meeting on Pennsylvania Avenue, because they would have to close these buildings down.

Mr. Chairman, I want to make it very clear that the process of spending money should be the prioritization of how we spend that money. Recognizing that for 40 years this body has not paid much attention to that, if they wanted to spend it, they borrowed it. But we are at a point now where we are not willing to borrow anymore, so we have to prioritize.

This amendment is simply asking this: Do we want to cut spending in vocational education next year by \$11 million or do we want to increase spending in OSHA next year by \$11 million? Now, that is our choice here, and it is a process of prioritizing.

Cutting OSHA back to last year's spending level of \$325.7 million is not exactly closing it down. Are we not all pleased that the growth rate is good in this country, interest rates are down, unemployment is down, the stock market is up, things are going pretty well? Well, no small part of that was the belt tightening that working America has done over the last 10 years. Why can we never tighten our belt in Federal agencies? Why do we always insist on judging the efficiency of an agency by how many dollars we spend?

The gentleman from Pennsylvania [Mr. GOODLING], our chairman in the Committee on Education and the Workforce, reported before the gentleman from Illinois [Mr. PORTER] that there are lots of problems in OSHA. None of that was mentioned by the gentleman from Illinois. But there are still lots of problems over there.

Why can we not ask them to be more efficient and operate on the \$325.7 million next year that they did last year, until they start dealing with some of the problems? And in the meantime, until they solve the problems that have been pointed out many times in oversight by the Committee on Education and the Workforce, let us spend \$11 million on training young men and women in this country we need jobs.

Now, if my colleagues believe that everything is just hunky-dory at OSHA, then I want to make a few points. In its latest move to get out an ergonomic standard, OSHA has plans to put the Ergonomics Technical Assistance Manual on the Internet. OSHA's ergonomic guidelines would require employers to take extreme steps to prevent repetitive motion injuries.

Well, that may be a good idea, except we do not understand repetitive motion injuries. And what I mean by that, we could have two Americans, same sex, same age, doing the same job, working side by side, and one has a repetitive motion injury and the other does not. The medical community does not understand that.

Mr. Chairman, all we are asking for OSHA to do is just be calm until they get the right science and then we can deal with this. If we put the ergonomic standard on the Internet, employers are going to be required not only to have written plans to prevent these injuries that they do not understand, but

also to redesign work areas in hopes that it will help, not that we know it will help. We do not have the science. They will be asked to slow assembly lines and potentially pay for medical bills.

Private industry, for example, estimates that a similar rule proposed by the California OSHA would cost \$3.1 billion annually just in California. Other sources estimate the Federal rule would cost \$21 billion to implement. That is with nine zeros.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. NORWOOD] has expired.

(By unanimous consent, Mr. NORWOOD was allowed to proceed for 2 additional minutes.)

Mr. NORWOOD. Mr. Chairman, OSHA insists that the manual is not for educational purposes, but on enforcement of a new standard. It is widely regarded as constituting guidelines which are enforceable under the general duty clause. They are not kidding. Too many of those of us who are on the right committee and are paying attention to them; of course they are going to enforce these standards.

□ 1315

Therefore, employers will have no choice but to comply with standards that we do not understand, nor does the medical community.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. NORWOOD. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I think it is appropriate now, because the gentleman has covered so much of this, that we read into the RECORD exactly what we have done on the ergonomics standards. The gentleman from Texas [Mr. BONILLA] of our subcommittee, along with the gentleman from Texas [Mr. DELAY], took a major lead in this area and reached an agreement on what OSHA could and could not do in the next fiscal year.

Let me read into the RECORD section 104 of the bill: "None of the funds made available in this Act may be used by the Occupational Safety and Health Administration to promulgate or issue any proposed or final standard regarding ergonomic protection before September 30, 1998," that is for the entire fiscal year, "provided that nothing in this section shall be construed to limit the Occupational Safety and Health Administration from issuing voluntary guidelines on ergonomic protection or from developing a proposed standard regarding ergonomic protection: Provided further, that no funds made available in this Act may be used by the Occupational Safety and Health Administration to enforce voluntary ergonomic guidelines through section 5."

I do not think the gentleman has any worry about fining anyone.

Mr. NORWOOD. Mr. Chairman, yes, I do, because they made a deal saying that if we will do that for 1 year, "The

committee will refrain from any further restrictions with regard to the development, promulgation or issuance of an ergonomic standard following fiscal year 1998." That means it cannot be discussed again and that does not mean we will have the science.

Vote for this amendment.

Mr. ENGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the amendment, and in doing so, I really want to expose it for what I believe it is. It is a political agenda. It is part of an all-out assault on organized labor and on working men and women in this country. It is part of a pattern that we have seen in some quarters here, unfortunately on the Republican side of the aisle, for the past 3 years.

First of all, last year we passed an increase in the minimum wage which was done so kicking and screaming by many Members on the other side of the aisle with great reluctance. They did not favor an increase in the minimum wage.

The first thing that the GOP did when it controlled this Congress was to change the name of the Committee on Education and Labor and purge the word "labor" out of everything from the committee and the subcommittee. We have seen an all-out assault on OSHA.

I have been to many of the hearings where Members on the other side of the aisle proposed to eliminate all kinds of OSHA standards and to eliminate all kinds of funds for OSHA. We have seen them try to cut funding for the National Labor Relations Board time and time again. This last amendment, which was defeated, thankfully, was part and parcel of this assault on working men and women, trying to cut wage and hour enforcement.

We have seen them try to put back company unions with the so-called TEAM Act, unions that really would not, in my opinion, have the best interests of America's workers at heart. They are trying to eliminate Davis-Bacon, which is the prevailing wage in Federal contracts, so that people who are doing these contracts will not get a prevailing wage, which in turn would hurt union companies right-to-work laws they tried to pass. They have tried to gut the 40-hour workweek with all types of comp time and other regulation.

So this is part and parcel of an assault on organized labor, but more importantly, an assault on working men and women in this country.

One does not have to be a genius to understand that we need OSHA standards. We need a strong OSHA department. We need a strong OSHA. Workers are still being maimed and injured on the job.

Let us look at the latest statistics. In 1993, there were 6,300 workers who died from traumatic injuries in America on the job and more than 50,000 died from occupational diseases. Nearly 7

million workers in 1993 were injured on the job. These are American workers, Democratic, Republican, Independent, old, young, men and women. Unfortunately, injuries on the job and deaths on the job cut across all kinds of lines.

On an average day, 154 workers lose their lives as a result of workplace injuries and illnesses and another 16,000 are injured. That is one workplace death or injury every 5 seconds in America. Should we be cutting back on OSHA funding which protects that and tries to mitigate against that? I think not.

Workers need more OSHA protection, not less. OSHA is a small agency that does not have the funding or staff to oversee the safety and health of 90 million American workers in 6 million workplaces under its jurisdiction. Federal OSHA has only 900 inspectors and on the average it can inspect workplaces, on average once every 87 years. The current OSHA budget, which is 318 million, amounts to a little more than \$1 per citizen.

So let us really expose this for what it is. It is a continued assault by some Members on the other side of the aisle, unfortunately some GOP Members, against working men and women in this country.

We all want more money for education, but again, pitting one group against the other is not the way to go. This does nothing, again, but advance an agenda which hurts America's workers, and I think this ought to be soundly defeated.

Mr. LEWIS of Kentucky. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Georgia [Mr. NORWOOD].

Mr. NORWOOD. Mr. Chairman, I just want to say to the gentleman from New York, this is not an assault on anybody. I, for one, am sort of sick and tired of hearing it. Not one of us in this room has any clue how the \$325.7 million was spent last year, whether it saved one life, how efficiently it was used; and we do not have a clue whether they need another \$11 million. We do know we need another \$11 million in vocational education. This is not an assault on anybody.

Mr. LEWIS of Kentucky. Mr. Chairman, why give OSHA an \$11 million raise and take from vo-tech training and adult training? Why do that when I think the statistics that have been given to us from across the aisle indicate that OSHA has not been doing a very good job; if we look at the National Safety Council statistics indicating that OSHA, since its founding in 1970, has been irrelevant to the long-term decline in workplace fatalities?

Moreover, a 1991 study by the National Bureau of Economic Research found that OSHA regulations significantly reduced productivity and growth in the United States, which undoubtedly means a parallel loss in employment opportunities.

Is this good for the workers who take \$11 million out of vocational training and adult training to cut them?

I want to talk about a small town in my district, Campbellsville, KY, population 10,000. They just lost 1,400 workers from a textile company, 1,400 workers. Is that good for the workers, and then to take \$11 million out of vocational training and adult training that could help these displaced workers find new jobs?

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of Kentucky. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I want to say that we have level-funded the vocational education account and that we have not taken anything out of it at all.

Mr. LEWIS of Kentucky. It is \$11 million less than the 1997 funding.

Mr. PORTER. No, Mr. Chairman, it is level funded.

Mr. LEWIS of Kentucky. Well, Mr. Chairman, that was not what I saw.

Even with that, should we not be trying to help displaced workers with better vocational training, better adult training? That is the key.

Look at OSHA, a bureaucracy that is out of, basically out of control, if we look at some of the horror stories. Rod Stewart owns and operates a small business that manufactures corn brooms and cotton mops in Union City, IN; Reit-Price Manufacturing Co., which he owns, started by his father in 1900, employs four people. When Indiana OSHA inspected his operation 3 years ago, even though it was a first-time inspection, the inspector fined Mr. Stewart \$500 for not having paperwork on hand listing hazardous items in the shop.

Well, Mr. Stewart did not need to fill out any paperwork because there was not any hazardous material that he deals with in his business. When Mr. Stewart realized that OSHA considered many items to be hazardous, even though they can be purchased anywhere, in a grocery store or a hardware store, he was able to talk the inspector out of fining him for not having paperwork on his Lava hand soap, but he was still fined \$500 for other items, such as a standard oil can WD-40, which can be purchased at any gas station.

Mr. Stewart has not always had just four employees. He used to have more than 20, but due to foreign competition, particularly from Mexico, seven corn broom manufacturers have gone out of business this year. That is 400 to 500 people who have lost their jobs.

Mexican importers, they do not have to absorb the cost of regulatory agencies like OSHA. One thousand four hundred jobs in my district; \$11 million should be going for better training, better education, job opportunities that will allow them to take care of their families.

I do not think an \$11 million pay raise for OSHA is going to do anything that is going to help worker safety.

The statistics do not bear it out. And my colleagues across the aisle, the numbers that they gave on workplace injuries and fatalities since 1970, these are recent reports; is OSHA doing their job with those kinds of negative numbers? I do not think so.

Let us do something to help the workers in this country better than what OSHA is doing.

Mr. GREEN. Mr. Chairman, I move to strike the requisite number of words.

I am proud to be here opposing the amendment because I think the amendment is cynical. Some of us have worked for many years to improve vocational education funding; and like some of my colleagues, I served on the committee that dealt with vocational authorization, and we worked to make sure that the funding was there.

Yet on the floor of the House we say that we are going to give you vocational money to be trained, but we are not going to give you a safe workplace. We can train you, but you will be killed on your job. That is what this amendment will do.

I have been to the memorial services for machinists in my district who were killed on the job site last year. I do not know if many of the other Members on the other side of aisle have seen what happens in an industrial-type district. Again, this looks like it is a war against workers who work with their hands because that is where the injuries are. They are in the trenches, they are in the chemical plants and refineries, they are in the machine shops, they are in the printing companies that I used to work at. That is where it is. Those are people who work with their hands that lose their limbs and also their lives.

Is OSHA doing the best job that they can? Of course not. I went with OSHA inspectors when they were at my company and was disillusioned, but I thought they needed to be better trained. But they were not. They were looking for things that I thought were not really important enough. Maybe that is why we need to provide them better training and more funding. I want to increase vocational education money, but I do not want to take it away from a safe workplace because the United States has one of most dismal records of safe workplaces.

My colleague from Kentucky who talked about the loss of jobs because the imports do not have to comply with regulations; well, if that is what you want to do, we would not have a minimum wage because around the world the minimum wage may be a dollar a day. They do not have job safety in some of the countries we have to compete with. Let us take that debate up on something else, on trade issues, and not on lowering our standards to compete with somewhere else in the world.

I do not want to lower our standards. I do not want any more job deaths because OSHA did not go out there and was not able to inspect the plant. I do

not want to hear of any more chicken plants in North Carolina that keep the exit doors chained shut, and people die because of that. That is what this amendment is aiming for.

Again, it looks like we are having a war against the workers because of the last amendment and this one; that is what is frustrating.

In 1993, we had 6,300 workers die from traumatic injuries and more than 50,000 died from occupational diseases. On the average day, 154 workers lose their lives as a result of workplace injuries and illnesses, and another 16,000 are injured.

Again, I represent an industrial district that has people who work with their hands in refineries and machine shops. This amendment again is a cynical way to try and say, we are going to cut OSHA because we do not like what they are doing somewhere else.

Let us give them some guidance, but not cut their funding. Let us put more inspectors out there, who are better trained, to make sure we can lower the number of deaths in our workplace.

□ 1330

Again that is what is frustrating to hear, an amendment like this today, Mr. Chairman.

Mr. BLUNT. Mr. Chairman, will the gentleman yield?

Mr. GREEN. I yield to the gentleman from Missouri.

Mr. BLUNT. I thank the gentleman for yielding. First, I would just like to point out that this amendment does not discuss OSHA funding. It leaves the funding for OSHA at the same place it is this year.

Mr. GREEN. Mr. Chairman, reclaiming my time, that worries me because we have not seen a lessening of injuries on the job. Maybe what we need to do is make OSHA better by providing more funding for training of those inspectors and more inspectors to go out and inspect those sites. As the gentleman from Wisconsin, the ranking member, said, there are only 900 OSHA inspectors and they inspect the average workplace once every 87 years. We need to do a better job.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. GREEN. I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding. I would simply point out to the gentleman from Missouri, my understanding is that Hudson Foods of now notorious fame is from his State. OSHA had to cite them because their place of employment was not kept clean and orderly or in a sanitary condition. Drainage was not maintained where wet processes were used. That is the kind of problem that creates a hazard to not only workers but to the entire country as was demonstrated.

The previous speaker from Georgia, I would point out, there were 249 fatalities in the workplace in his State last year, 200,000 injuries, and the average workplace is inspected now once every

257 years. That is longer than this country has been in existence. In Kentucky, there were 158 fatalities, 115,000 injuries, one inspection per workplace every 79 years. That hardly is an agency which is overfunded.

Mr. BENTSEN. Mr. Chairman, I rise to express my support for H.R. 2264, the 1998 Labor, Health and Human Services, and Education appropriations legislation, as reported by the Appropriations Committee. This legislation provides important and necessary funding for many important health and education programs, including the National Institutes of Health [NIH], the Corporation for Public Broadcasting, Head Start, and Pell grants. I urge my colleagues to approve this bipartisan legislation without divisive amendments.

Medical research is an investment that we must continue because it is so vital to our quality of life and will yield new treatments for diseases such as cancer, heart disease, Alzheimer's, and AIDS. This legislation provides \$13.5 billion for the NIH, an increase of 6 percent over last year's budget. It is noteworthy that Congress has included more than an inflationary increase for the NIH for the third year in a row, even as we seek to balance the Federal budget. In 1995 the majority part passed a budget which would have cut NIH by 5 percent. I and other opposed that provision and ultimately we prevailed. We must ensure at least the level of NIH funding in H.R. 2264 as the appropriations process moves forward.

As the representative for the Texas Medical Center, one of our Nation's premier medical education and research centers, I know firsthand of the importance of NIH funding for medical research projects. Over the last 5 years, the Texas Medical Center has received more than \$2 billion in grants from the NIH and other Federal agencies. From this investment, cutting edge medical research and discoveries have been made. For instance, some of the major discoveries at the Texas Medical Center include the DeBakey roller pump, a major component of the heart-lung machine which is now used in open-heart surgery around the world; the first artificial heart and successful heart transplant surgery by Dr. Denton Cooley, the gamma-knife diagnostic machine to treat brain disorders at Hermann Hospital; and the first approved gene therapy for lung cancer conducted at M.D. Anderson Cancer Center. All of these treatments are possible because of our continued investment in the National Institutes of Health.

I am also pleased that this legislation would provide \$300 million for the Corporation for Public Broadcasting [CPB]. CPB is an asset to children and families throughout the Nation. The quality and variety of educational, informational, and cultural programming found on public broadcast stations cannot be found anywhere else on radio or television. Public broadcast stations are among a limited selection of stations that cater to a large number of locally originated programs. In addition, public broadcast stations in rural and underserved urban areas greatly depend on federal funds for their economic base.

CPB provides services that reach out to people of all backgrounds and ages throughout the country. CPB plays an essential role in our educational and cultural growth as a nation. For example, the Public Broadcasting Service is the leading provider of classroom video programming for all grades from kinder-

garten through 12th grade and provides college telecourses to more than half of America's campuses, making PBS the leading source of college-level telecourses. Public Broadcasting does what the market does not. It provides superior cultural and children's programs free.

This legislation also maintains our Nation's commitment to Head Start by fully funding the President's request at \$4.3 billion for fiscal year 1998, an 8-percent increase over last year's level. While many sacrifices have been made to balance the budget, I am pleased that Congress has continued its support of this vital program, which helps prepare millions of disadvantaged children to succeed in school and throughout their lives. Head Start helps to ensure that children in the most formative years of their development get the special attention and nourishment they need to learn and grow.

I am also pleased that this legislation provides \$9 billion for student financial assistance, including \$7.4 billion in Pell grant funding for the 1998-99 academic year, a 26-percent increase from fiscal year 1997. The bill increases the maximum Pell grant award from its current level of \$2,700 to \$3,000. The Pell grant provisions in this bill, coupled with the higher education tax credits included in the tax relief portion of the balanced budget agreement, will make a college education more accessible and affordable so students can obtain the education and skills needed to succeed in our global, high-technology economy.

Because of these and other vital programs, this legislation in its current form merits a strong, bipartisan vote of support. Let's avoid divisive amendments and pass this important legislation.

Mr. DELAHUNT. Mr. Chairman, I rise on behalf of the appropriations bill which Chairman PORTER has brought before this Chamber. This legislation was carefully crafted to restoring bipartisan priorities for Federal health, labor, and education policy, and deserves the enthusiastic support of this House.

I also want to draw particular attention to a small provision which has enormous implications for many communities across the Nation, including the town of Bourne, on Cape Cod, in my congressional district.

As many of my colleagues know, the impact aid program was created in 1950 to ensure compensation to local communities for at least part of the cost of educating children of families associated with military bases or other Federal installations.

On reliance of that assurance, cities and towns have expended considerable sums to educate these kids. The Federal formulas were never even close to covering the actual educational costs, but for awhile there was at least lipservice to the commitment.

For the past dozen years, however, Washington has done all it can to abandon its obligations altogether—while towns like Bourne have struggled under the weight of these extra financial burdens.

The irony is that, as impact aid communities do their best to maintain opportunity for federally connected students, now 15 percent of the student population, the quantity and quality of school services inevitably suffer. In 1 year alone, Bourne was forced to lay off 74 school employees.

And when Washington saves, Bourne pays—in the form of increased local property



taxes to defray the increased expenses, which compromise a substantial portion of the town's school budget.

Local communities are perplexed at a Congress which decries unfunded mandates, but then shrugs its shoulders year after year at this direct, and regressive, hit on the local tax base. In all, the town of Bourne has subsidized the cost of educating federally related students to the tune of \$7 million.

I rise today, however, to suggest that, through the work of impact aid towns across the country, and the assistance of Chairman PORTER, there is some hope. After a decade-long decline, this bill would increase impact aid funding levels for the 2nd year in a row—\$66 million more for fiscal year 1998.

This increase, which restores program funding to its 1979 level, will not cover all current impact aid costs, much less retroactive obligations. However, it suggests that we are deciding, for the year to come, to do no more harm—and for that, at least, 1,800 school districts across America are grateful.

Mrs. MINK of Hawaii. Mr. Chairman, the Labor-HHS-Education appropriations bill represents in my estimation the most important Federal spending bill we consider each year. It represents our investment in the human capital of this country—our investment in education, employment, and the health and well-being of our people.

The bill before us, H.R. 2264, is a significant improvement over Labor-HHS-Education appropriation bills we have seen the majority report out of committee over the last 2 years. This bill includes increase funding in priority areas such as health research at the National Institutes of Health, job training, and education programs. This, I believe, is a direct result of the persistence of our President and congressional Democrats in protecting several key spending areas during budget negotiations earlier this year.

I am pleased that the bill includes increased funding for the National Institutes of Health by \$764 million and that nearly \$124 million of this amount will be directed to increases for the National Cancer Institute. With language included in the committee report listing ovarian cancer as a research priority, I am confident that a portion of this increase will go to enhance efforts in ovarian cancer early detection and prevention research.

This year 26,800 American women will be diagnosed with ovarian cancer. It is truly disheartening that most of them will be diagnosed too late and fewer than half of them will survive 5 more years. Why? Because there is no early detection screening test for ovarian cancer. Because although the 5-year relative survival rate for ovarian cancer is 92 percent when detected early, only a quarter of all cases are detected early.

For the last 7 years I have fought hard for increases in ovarian cancer research. We have successfully increased funding from around \$8 million in 1989 to close to \$40 million this year. Funding available in this bill will allow us to progress even further.

The committee specifically calls for a specialized program of research excellence [SPORE] for ovarian cancer, a concentrated research initiative that has been successful in other research areas such as breast, lung, and prostate cancer. Legislation I introduced in the 104th and 105th Congresses directs the NCI to establish such a program. I am pleased that

the committee is supporting this provision of my bill, H.R. 953.

It is time we take serious action to develop an early detection screening test for ovarian cancer and I applaud the committee for their support.

H.R. 2209 also includes \$2 million for Hansen's Disease Payments to Hawaii for the care of Hansen's disease patients who continue to live at Kalaupapa, Molokai.

Authorized under Public Law 82-411 and later Public Law 99-117, the Federal Government has provided payments for health care and other support services for the Hansen's disease patients at Kalaupapa and additional outpatients at other facilities in Hawaii since 1954. Federal funding is an important supplement to the State's overall efforts to serve and provide for these individuals.

The Hansen's disease program in Hawaii supports approximately 400 individuals. Most are served through the Hale Mohalu Hospital in Honolulu and through outpatient services. However, about 60 individuals reside at Kalaupapa, a remote peninsula on the island of Molokai which was designated in the mid-1800's as the place of banishment for individuals with Hansen's disease.

Over the years, Kalaupapa has become a place of comfort and tranquility for the patients—a home that they have grown to love. The Federal Government made a commitment to the patients that they will be allowed to live out their lives at Kalaupapa. These Federal funds help to fulfill this promise.

I want to thank Chairman PORTER for his willingness to continue funding for this program, and the effort he has made in the last 2 years to assure that Federal support for Hansen's disease patients at Kalaupapa will continue.

I would also note that funding for the Native Hawaiian Health Care Act would be continued under the \$826 million allocated for the Consolidated Health Centers. The Native Hawaiian Health Care Act enacted in 1988 established health care systems on each island in the State of Hawaii to address the significant health care needs of the native population in our State.

On the education front the bill includes \$32.1 billion for education programs, a \$3.2 billion increase over fiscal year 1997 appropriations.

Priority items outlined by the President and congressional Democrats do well in this bill. Head Start, the early childhood education program for low-income children, is increased by 8 percent which brings the funding total to \$4.3 billion. We have heard so much this year about the importance of the preschool years in the development of a child's brain. We now know that the Head Start Program, established over 30 years ago to provide disadvantaged children with opportunities for early childhood education, was light years ahead of its time and on the right track.

This bill also funds a 5-percent increase in the title I program for disadvantaged children in elementary and secondary schools. Bilingual education and immigrant education is increased by 35 percent with funding at a total of \$354 million. Impact aid funding to help States provide education to military children is increased from \$796 million in fiscal year 1997 to \$862 million.

The bill also provides a \$300 increase in the maximum award for Pell grants. This means

low-income students would be eligible for up to \$3,000 a year in Federal Pell grants. To meet this new Pell grant maximum the bill increases funding for Pell grants by \$1.5 billion. For the academic year 1998-99 a total of \$7.4 billion will be provided for Pell grants.

I would like to express my support for the \$2 million allocated for the Women's Education Equity Act. In the past the majority has sought to eliminate this program, which I authorized in 1974. Last year we were able to restore WEEA funding through a floor amendment. I am pleased the committee included WEEA funding in its bill this year.

While this bill generally moves us in a more positive direction in terms of spending on human resources in our country, there are some important areas of concern.

I am deeply disappointed that the committee did not include funding for the Native Hawaiian Education Act. In existence for about 10 years the Native Hawaiian Education Act funds programs dedicated to improving educational opportunities for native Hawaiians. In was established as part of the Federal Government's effort to fulfill its trust responsibility to the native Hawaiian monarchy in 1893.

Since 1921 the Federal Government has acknowledged its responsibility to assist in the rehabilitation of the native Hawaiian people and work toward improvement of their education, economic, and health status.

Fifteen million dollars provided in fiscal year 1997 for the Native Hawaiian Education Act went to support six specific programs including, family-based early childhood centers, a higher education scholarship program, a Native Hawaiian Gifted and Talented Program, a special education program, curriculum development and teacher training program, and community-based education centers. The President requested continued funding at \$15 million. I am very concerned that the committee did not include this funding in its bill.

I sincerely hope the committee will reconsider its decision and concur with the Senate and fund the Native Hawaiian Education Act programs.

Mr. BEREUTER. Mr. Chairman, this Member would like to commend the distinguished gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations, the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking member of both the full committee and the Subcommittee on Labor, Health and Human Services, and Education and the distinguished gentleman from Illinois [Mr. PORTER], the chairman of the subcommittee, for their exceptional work in bringing this bill to the floor.

Mr. Chairman, the fiscal year 1998 Labor, Health and Human Services Appropriations Act contains several provisions regarding important rural health programs which benefit rural communities across the Nation, as well as continued funding for the Ellender Fellowships.

Regarding rural health funding, this Member would like to specifically mention two programs which this Member strongly supports and has expressed this support together with other Members of the House Rural Health Care Coalition to the subcommittee. These programs are Rural Outreach Grants, and the National Health Service Corps.

This bill includes \$27.8 million for Rural Outreach Grants, which is the same as the fiscal year 1997 level and \$2.7 million above the

amount requested by the President. This important program supports projects that provide health services to rural populations not currently receiving them and that enhance access to existing services.

The National Health Service Corps receives \$120 million in this bill, which is a \$4.6 million increase above both the fiscal year 1997 level and the amount requested by the President. One of the top health care concerns in rural America is the shortage of physicians and other health professionals due to the difficulties rural areas have in attracting and retaining primary health care professionals. The NHSC program addresses this need by providing scholarships to, and repays loans of, primary care professionals in exchange for obligated services in a health professional shortage area [HPSA].

The program also provides matching grants to States for a loan repayment program. These incentives for health professionals and physicians to serve in rural areas are greatly needed.

This Member is also pleased that H.R. 2264 includes \$1.5 million for Ellender fellowships. Earlier this year, this Member testified before the subcommittee regarding this important program. This amount is the same as the fiscal year 1997 level, even though the President's budget did not include any funds for the extraordinarily valuable citizen education program for American high school students. The Ellender fellowships are used to enable low-income students to participate in the highly successful Washington Close Up Program.

Each year the Close Up Foundation awards thousands of Ellender fellowships, which included 3,942 students during the 1995–96 school year. Nationally, since 1971 over 480,000 students and teachers have participated in the Washington Close Up Program. Almost 94,000 of those participants received full or partial fellowships.

Again, Mr. Chairman, this Member commends the distinguished gentleman from Ohio [Mr. STOKES], the chairman of the subcommittee, and the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking member of both the full committee and the subcommittee for their continued support of these important programs.

Mr. PORTER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. GOODLATTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

#### MOTION TO INSTRUCT CONFEREES ON H.R. 1119, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

The SPEAKER pro tempore. The unfinished business is the demand for a recorded vote on the motion to in-

struct offered by the gentleman from Ohio [Mr. TRAFICANT] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will re-report the motion.

The Clerk read as follows:

Mr. TRAFICANT moves that the conferees on the part of the House on the bill, H.R. 1119, be instructed to insist upon the provisions of section 1032 of the House bill relating to the assignment of Department of Defense personnel to Border Patrol and control.

#### RECORDED VOTE

The SPEAKER pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 261, noes 150, not voting 22, as follows:

[Roll No. 368]

#### AYES—261

Aderholt	Foley	Maloney (NY)
Andrews	Forbes	Manton
Archer	Fox	Manzullo
Armey	Franks (NJ)	Martinez
Bachus	Frelinghuysen	Mascara
Baesler	Gallegly	McCarthy (NY)
Barcia	Ganske	McCrery
Barr	Gekas	McDade
Barrett (NE)	Gibbons	McHugh
Bartlett	Gilchrest	McIntosh
Barton	Gillmor	McIntyre
Bass	Gilman	McKeon
Bateman	Goode	McNulty
Bereuter	Goodlatte	Metcalf
Bilbray	Goodling	Mica
Bilirakis	Gordon	Minge
Bishop	Goss	Moakley
Bliley	Granger	Moran (KS)
Blunt	Greenwood	Morella
Boehlert	Gutknecht	Myrick
Boehner	Hall (OH)	Nethercutt
Bono	Hall (TX)	Neumann
Boswell	Hansen	Ney
Boyd	Harman	Northup
Brady	Hastert	Norwood
Bryant	Hastings (WA)	Nussle
Bunning	Hefley	Oberstar
Burr	Herger	Owens
Burton	Hill	Oxley
Calvert	Hilleary	Packard
Camp	Hobson	Pallone
Campbell	Hoekstra	Pappas
Canady	Holden	Pascarella
Castle	Horn	Paxon
Chabot	Hostettler	Pease
Chambliss	Hulshof	Peterson (MN)
Christensen	Hunter	Peterson (PA)
Clement	Hutchinson	Petri
Coble	Hyde	Pickering
Coburn	Inglis	Pickett
Collins	Jenkins	Pitts
Combest	John	Porter
Condit	Johnson (CT)	Portman
Cook	Johnson, Sam	Poshard
Cooksey	Jones	Price (NC)
Costello	Kaptur	Quinn
Cox	Kasich	Radanovich
Cramer	Kelly	Rahall
Crane	Kilpatrick	Ramstad
Cubin	Kim	Redmond
Cummings	Kind (WI)	Regula
Cunningham	King (NY)	Riggs
Danner	Kingston	Riley
Davis (VA)	Klink	Rivers
Deal	Klug	Roemer
DeLay	Knollenberg	Rogan
Deutsch	Kucinich	Rogers
Diaz-Balart	LaFalce	Rohrabacher
Dickey	LaHood	Ros-Lehtinen
Dicks	Lantos	Roukema
Doyle	Largent	Royce
Dreier	Latham	Salmon
Duncan	LaTourette	Sanchez
Dunn	Lazio	Sandlin
Ehrlich	Leach	Sanford
Emerson	Levin	Saxton
English	Lewis (KY)	Scarborough
Ensign	Livingston	Schaefer, Dan
Eshoo	LoBiondo	Schaffer, Bob
Etheridge	Lowe	Schumer
Ewing	Luther	Sensenbrenner
Fawell	Maloney (CT)	Shadegg

Shaw	Strickland	Turner
Shays	Sununu	Upton
Sherman	Talent	Walsh
Shimkus	Tanner	Wamp
Shuster	Tauscher	Watkins
Sisisky	Tauzin	Watts (OK)
Skeen	Taylor (MS)	Weldon (FL)
Smith (MI)	Taylor (NC)	Weldon (PA)
Smith (NJ)	Thomas	Weller
Smith (OR)	Thornberry	Wexler
Smith (TX)	Thune	White
Snowbarger	Thurman	Wicker
Souder	Tiahrt	Wise
Spence	Towns	Wolf
Stearns	Trafficant	Young (FL)

#### NOES—150

Abercrombie	Ford	Mollohan
Ackerman	Fowler	Moran (VA)
Allen	Frank (MA)	Murtha
Baldacci	Frost	Nadler
Barrett (WI)	Furse	Neal
Becerra	Gejdenson	Obey
Bentsen	Gephardt	Olver
Berman	Green	Ortiz
Berry	Gutierrez	Pastor
Blagojevich	Hamilton	Paul
Blumenauer	Hastings (FL)	Payne
Bonilla	Hayworth	Pombo
Bonior	Hefner	Pomeroy
Borski	Hilliard	Rangel
Brown (CA)	Hinchey	Reyes
Brown (FL)	Hinojosa	Rodriguez
Brown (OH)	Hookey	Rothman
Buyer	Houghton	Roybal-Allard
Cannon	Hoyer	Rush
Capps	Jackson (IL)	Ryun
Cardin	Jackson-Lee	Sabo
Carson	(TX)	Sanders
Chenoweth	Jefferson	Sawyer
Clay	Johnson (WI)	Scott
Clayton	Johnson, E. B.	Serrano
Mica	Kanjorski	Sessions
Clyburn	Kennedy (MA)	Skaggs
Conyers	Kennedy (RI)	Skelton
Coyne	Kennelly	Slaughter
Crapo	Kildee	Smith, Adam
Davis (FL)	Klecza	Snyder
Davis (IL)	Kolbe	Spratt
DeFazio	Lampson	Stabenow
DeGette	Lewis (GA)	Stark
Delahunt	Linder	Stokes
DeLauro	Lofgren	Stump
Dellums	Lucas	Stupak
Dingell	Markey	Thompson
Dixon	Matsui	Tierney
Doggett	McDermott	Torres
Dooley	McGovern	Velázquez
Doolittle	McHale	Vento
Edwards	McInnis	Visclosky
Ehlers	McKinney	Waters
Engel	Meehan	Watt (NC)
Evans	Meek	Weygand
Farr	Menendez	Whitfield
Fattah	Millender	Woolsey
Fazio	McDonald	Wynn
Filner	Miller (CA)	Yates
Flake	Mink	
Foglietta		

#### NOT VOTING—22

Baker	Lewis (CA)	Schiff
Ballenger	Lipinski	Smith, Linda
Boucher	McCarthy (MO)	Solomon
Callahan	McCollum	Stenholm
Everett	Miller (FL)	Waxman
Gonzalez	Parker	Young (AK)
Graham	Pelosi	
Istook	Pryce (OH)	

□ 1359

Messrs. STUPAK, KOLBE, CLYBURN, CANNON, DOOLITTLE, and POMBO changed their vote from "aye" to "no."

Ms. HARMAN, Mrs. MALONEY of New York, Mr. ANDREWS, Ms. DUNN, and Mr. McDADE changed their vote from "no" to "aye."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.